

The City Record

Official Publication of the City of Cleveland

February the Nineteenth, Nineteen Hundred and Ninety-Seven

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	Merle R. Gordon
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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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	Merle R. Gordon	1813 Tampa Avenue	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	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

MAYOR-Michael R. White
LaVonne Sheffield-McClain, 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.
Susan E. Axelrod, Executive Assistant for Communications and Support Services
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 Flr., Court Towers, 1200 Ontario
Carolyn Watts-Allen, Chief Asst. Prosecutor
Steven J. Terry, Chief Counsel

DEPT. OF FINANCE - Martin L. Carmody, 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 - Hamid Manteghi, Acting Commissioner, 1404 E. 9th St.

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

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

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

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

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

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

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

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

DIVISIONS - Administrative Services - Terrence Ross, Commissioner.
Neighborhood Services - Jack F. Krumhansl, Acting 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, Delores A. Lynch, Director

COMMUNITY RELATIONS BOARD - Room 11, Gary L. Holland, Director; Mayor Michael R. White, Chairman Ex-Officio; Mary Adele Springman, Vice-Chairman; Councilmen Michael Polensek and Edward Rybka, City Council Representatives; Muqit Abdul Sabur, Louise Boddie, Charles E. McBee, Larry C. Liou, John Gallo, Emmett Saunders, Mary Jan Buckshot, Sr. Joaquina Carrion, Kathryn M. Hall, Hasan Muheisen, Barbara S. Rosenthal, Henry Simon.

CIVIL SERVICE COMMISSION - Room 119, Freddie J. Fenderson, President; Timothy J. Cosgrove, Vice President; Donna K. Nelson, Secretary; Margaret Hopkins, Member, Earl Preston, Member.

SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; _____, Director; President of Council Jay Westbrook.

BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Anthony Costanzo, Sec'y.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room 516, J. F. Denk, Chairman; J. Bowes, James Williams, Alternate Members - D. Cox, P. Frank, E. P. O'Brien, Richard Pace, Arthur Saunders, J.S. Sullivan.

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

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

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

CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Rev. Albert T. Rowan, Chairman; _____, Vice Chairman, David Bowen, 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, _____, Councilman Jay Westbrook.

BOARD OF EXAMINERS OF ELECTRICIANS - Raymond Ossovicki, Chairman; _____, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.

BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Earl S. Bumgarner, _____, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.

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

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

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

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

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CITY COUNCIL

MONDAY, FEBRUARY 17, 1997

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; Patton, Paulenske, Robinson, Sweeney, White.

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

MONDAY—Alternating

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

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

MONDAY

2:00 P.M.—**Finance Committee:** Westbrook, Chairman; Polensek, Vice Chairman; Britt, Coats, Johnson, Lewis, Patmon, Paulenske, 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:** Willis, Chairman; Melena, Vice Chairman; Dolan, Johnson, Rybka, Sweeney, White.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Smith, Chairman; Paulenske, Vice Chairman; Dolan, Patton, Sweeney, White, Willis.

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

WEDNESDAY—Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

February 12, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, February 12, 1997, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren and Lynch.

Absent: None.
Others: William Moon, Commissioner, Purchases and Supplies, Linda Willis, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 93-97.

By Director Cunningham.
Whereas, Quay 55 Limited Partnership ("Concessionaire") intends to operate an office of the leasing of real estate at Burke Lakefront Airport ("Airport"); and

Whereas, the City of Cleveland is willing to grant to Quay 55 Limited Partnership permission and license to use certain space at Airport for use as an office for conducting a real estate business; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is hereby authorized to enter into a concession agreement with Quay 55 Limited Partnership for the use of approximately 240 square feet of office space on the first floor of

the terminal passenger building at the Airport for a period not to exceed thirty (30) days. The Concessionaire shall pay to the City a fee of \$170.08 for the use of this space. All utilities shall be paid by the Concessionaire, except that, the City shall provide, without charge, ordinary amounts of heat and air conditioning to the concession premises.

Said concession agreement shall be prepared by the Director of Law and shall contain such provisions as he deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

Resolution No. 94-97.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Harlan Electric Company for the public improvement of System Expansion Program, commercial connections and distribution laterals C-14, (all items), for the Division of Cleveland Public Power, Department of Public Utilities, received on the 18th day of December, 1996, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, upon a unit basis for the improvement to be performed as ordered during the period of two (2) years beginning with the date of execution of a contract at the unit prices set forth in the said bid, which on the basis of the estimated work to be done would amount to Eleven Million Nine Hundred Ninety-nine Thousand Eight Hundred Thirty-one and 71/100 (\$11,999,831.71) Dollars, (Net 30 Days), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into a requirement contract for said improvement, which contract shall provide for the initial performance of the following work hereunder:

Requisition No. 103456

which shall be certified against such contract in the sum of One Million 00/100 (\$1,000,000.00) Dollars.

Said requirement contract shall further provide that the Contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against said requirement contract, whether the same shall be less than the total estimate of work to be performed under said contract or shall exceed the same by not more than ten percent.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib,

Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 95-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Burgess & Niple, Ltd., engineer for the Southwest Quadrant Water Supply Mains, Proposal No. 1, Parma-Pearl-York Water Supply Main, Section IV, pursuant to Board of Control Resolution No. 925-96, adopted December 24, 1996 is hereby approved:

SUBCONTRACTOR WORK

Solar Testing Geotechnical Services

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 96-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Triad Engineering and Contracting Co., for Cooley Avenue relief sewer project-construction, pursuant to Board of Control Resolution No. 3-97 adopted January 8, 1997 is hereby approved:

SUBCONTRACTOR WORK

KM&M(JV) Tunneling

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 97-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1228-95, passed by the Council of the City of Cleveland on January 29, 1996, Board of Control Resolution No. 645-96, adopted September 25, 1996, approving the bid of Eagle International Truck Sales, Inc. as lowest and best for one (1) cab and chassis with dump body, all items, for the Division of Water, Department of Public Utilities, is hereby amended by deleting "ninety six thousand six hundred fifty four dollars (\$96,654.00) and substituting therefor "ninety six thousand six hundred fifty nine dollars (\$96,659.00)".

Be it further resolved that all other provisions of said Resolution No. 645-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 98-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1228-95, passed by the Council of the City of Cleveland on January 29, 1996, Board of Control Resolution No. 926-96, adopted December 24, 1996, approving the bid of Valley Ford Truck Sales, Inc. as lowest and best for twenty-two (22) cabs and chassis with 8 ft. Bodies, item 1A, for the Division of Water, Department of Public Utilities, is hereby amended by deleting "twenty two (22) cabs and chassis with 8 ft. Bodies" and substituting therefor "five (5) cabs and chassis with 8 ft. bodies".

Be it further resolved that all other provisions of said Resolution No. 926-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 99-97.

By Director Staib.

Resolved by the Board of Control of the City of Cleveland that all bids received on December 19, 1996 for burial of the indigent dead for the Division of Health, Department of Public Health, pursuant to the authority of Ordinance No. 1404-96, passed by the Council of the City of Cleveland on September 30, 1996, be and the same are hereby rejected.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 100-97.

By Directors Spellman and Nolan.

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 152-96, adopted March 13, 1996, as amended by Resolution No. 543-96, adopted on August 7, 1996, and as amended by Resolution No. 65-97, adopted on January 29, 1997, authorizing the Director of Parks, Recreation & Properties and the Director of Personnel & Human Resources to enter into contract with Snider Blake Personnel Service, Inc., to provide for Project Clean Program temporary and seasonal personnel at an hourly billing rate not to exceed \$7.01 per hour is hereby further amended due to the inclusion of additional temporary and seasonal workers as described in Snider Blake's proposal dated February 3, 1997, to increase the billing rate by Snider-Blake under Contract No. 49846 to not to exceed \$8.28 per hour.

Be it further resolved that the above-mentioned directors are hereby authorized to enter into a second amendment to said Contract No. 49846 on the basis of Snider Blake's proposal dated February 3 1997.

Be it further resolved that the second amendment to said Contract No. 49846 authorized hereby shall reflect that the correct initial term commenced April 1, 1996 and expired December 31, 1996, with an option in the City to renew for an additional one year term commencing January 1, 1997.

Be it further resolved that all other provisions of said Resolution No. 152-96, as previously amended, not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 101-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 124-12-104 located at 5705 Griswold Avenue in Ward 5; and

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

Whereas, Dorothy Fowler, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Dorothy Fowler for the sale and development of Permanent Parcel No. 124-12-104 located at 5705 Griswold Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 102-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 114-24-036 located at 18602 Underwood Avenue, N.E., in Ward 11; and

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

Whereas, Patricia Suster, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 11 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Patricia Suster for the sale and development of Permanent Parcel No. 114-24-036 located at 18602 Underwood Avenue, N.E., in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 103-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 116-26-081 located at 1498 East 175 Street in Ward 11; and

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

Whereas, Alfred A. Fitzpatrick, Sr., abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 11 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Alfred A. Fitzpatrick, Sr., for the sale and development of Permanent Parcel No. 116-26-081 located at 1498 East 175 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 104-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 017-06-071, northwesterly part, located at 3120 West 84 Street in Ward 18; and

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

Whereas, Jonas and Lilli Vivlicka, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Jonas and Lilli Vivlicka for the sale and development of Permanent Parcel No. 017-06-071, northwesterly part, located at 3120 West 84 Street, in accordance

with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 105-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 017-06-071, southerly part, located at 3120 West 84 Street in Ward 18; and

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

Whereas, Luis A. Martinez and Juanita Martinez, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Luis A. Martinez and Juanita Martinez for the sale and development of Permanent Parcel No. 017-06-071, southerly part, located at 3120 West 84 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.
Absent: None.

Resolution No. 106-97.

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 017-06-071, northeast part, located at 3120 West 84 Street in Ward 18; and

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

Whereas, Betty Kelly, aka Betty Ryan, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland with Betty Kelly, aka Betty Ryan for the sale and development of Permanent Parcel No. 017-06-071, northeast part, located at 3120 West 84 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

Resolution No. 107-97.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 472-92, passed by the Council of the City of Cleveland on July 22, 1992, WKYC-TV, Inc. is hereby selected from a list of firms determined, after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract to provide professional services necessary to provide advertising services for the Division of Cleveland Public Power, Department of Public Utilities.

Be it further resolved, that the Director of Public Utilities hereby is requested to enter into a contract with WKYC-TV, Inc. for said services based upon its proposal enti-

pled, "The More You Know," which contract shall be prepared by the Director of Law, shall provide for payment of a fee not to exceed \$150,000, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

Resolution No. 108-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 2278-95, passed by the Council of the City of Cleveland on May 6, 1996, Board of Control Resolution No. 746-96, adopted October 23, 1996, approving the bid of Smart Solutions, Inc., dba Micro Age, as lowest and best for personal computers, various printers and software, items A-1, A-2, A-3, A-4, A-5, C2 and C-3, for the Division of Water, Department of Public Utilities, is hereby amended by adding "D-1" after the words "items A-1, A-2, A-3, A-4, A-5, C2 and C-3".

Be it further resolved that all other provisions of said Resolution No. 746-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

Resolution No. 109-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 2278-95, passed by the Council of the City of Cleveland on May 6, 1996, Board of Control Resolution No. 747-96, adopted October 23, 1996, approving the bid of Erie Shores Computers, Inc. as lowest and best for personal computers, various printers and software, items A-6, C-1, C-4 and C-5, for the Division of Water, Department of Public Utilities, is hereby amended by adding "D-2" after the words "items A-6, C-1, C-4 and C-5".

Be it further resolved that all other provisions of said Resolution No. 747-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Guzman, Staib, Acting Director Smith, Directors Spellman, Hamilton, Nolan, Warren, Lynch.

Nays: None.

Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials

may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 3, 1997

9:30 A.M.

Calendar No. 97-14: 4771 Pearl Rd., S.W.

Ray Duke, owner, and Richard Whitt, tenant, to erect a 30' x 72' one story addition to the front of the 42' x 28'6" one story masonry non-conforming fire sales and service building and to install additional accessory off-street parking and to establish a landscape nursery sales lot on the southwest 60' x 135' portion of the irregular shaped parcel located partially in a Local Retail District and partially in a One Family District on the southwest corner of Pearl Rd. and Oak Park Ave. at 4771 Pearl Rd.; said additional off-street parking to be located in the One Family District portion of the parcel and therefore contrary to the one family use limitations of Section 337.02 and the landscape nursery sales lot and the fire sales and service being contrary to the local retail use limitations of Section 343.01 and said addition being contrary to the expansion limitations of Section 359.01 of the Codified Ordinances.

Calendar No. 97-15: 3879 E. 71 St.

Broadway Area Housing Coalition, owner, c/o Maria Kettering, and George L. Ippolito, owner and prospective purchaser, and Tumbles Wash and Dry Co., prospective tenant, c/o Gene Ippolito, to convert to a laundromat the former drug store portion (front 39' x 55') of the 48' x 97' irregular shaped one story masonry nonconforming store and office building on the south part and to construct an accessory off-street parking lot on the north part of the 96' x 135' parcel located in a Multi-Family District at 3879 E. 71 St.; said use as a laundromat being contrary to the residential use limitations of Section 337.08 but subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 97-20: 8003 Broadway, S.E.

Bud Brady Ford Inc., owner, c/o O.C. Knittel, to erect a 182' x 42' one story addition to the south side of the auto sales and service garage building on a 502' x 264' irregular shaped corner parcel located in a Semi-Industry District on the northeast corner of Broadway and Jones Rd. at 8003 Broadway; said premises not conforming to the landscape provisions of Section 352.07 of the Codified Ordinances.

Calendar No. 97-21: 12228 Wade Park Ave., N.E.

Lemaud Williams, owner, and UCI Inc., tenant, c/o Brian Gleisser, to use as a parking lot the 485' x 69' irregular shaped corner parcel located in a Two Family District on the southwest corner of Wade Park Ave. and Lakeview Rd. at 12228 Wade Park Ave.; said parking lot use being contrary to the residential use limitations of Section 337.03 and said premises not to conform to the screening provisions of Section 349.08 and the proposed fencing being contrary to the encroachment and height restrictions of Sections 357.07 and 357.13 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 18, 1997

At the Meeting of the Board of Zoning Appeals, on Monday, February 10, 1997, the following appeals were heard by the Board, and decided on Tuesday, February 18, 1997.

The following appeals were **Refused:**

Calendar No. 97-6: 3065-77 E. 123rd Street

Kendrick Lounge Inc. dba 123 Fish Market c/o Marcia L. Kendrick, appealed under authority of Section 76-6 of the Charter of the Cleveland from refusal to issue a Music Permit.

Calendar No. 97-10: 11812 Guardian Blvd., S.W.

Albert E. Dozier, to erect a 12' x 22' frame one story addition.

The following appeal was **Withdrawn:**

Calendar No. 97-16: 4258 E. 131st Street

Elmer Fryerson, owner to convert to a senior care home for 11 adults and to erect a 26' x 22' one story frame addition.

The following appeals were **Postponed:**

Calendar No. 97-5: 601 Erieside Ave., N.E to March 31, 1997.

Calendar No. 97-9: 2121 W. 117 St to February 24, 1997.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, FEBRUARY 26, 1997

System Expansion Program (Providing and Installing Trees), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

Lake Road Exterior Maintenance - Window Repair and/or Replacement, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 424-96, passed by the Council of the City of Cleveland, May 6, 1996.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, FEBRUARY 20, 1997, 10:00 A.M. AT THE OFFICES OF CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE.

February 12 and February 19, 1997

THURSDAY, FEBRUARY 27, 1997

Emergency Sewer Repairs and Installation of New Sewers, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1607-96, passed by the Council of the City of Cleveland, October 28, 1996.

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

February 12 and February 19, 1997

FRIDAY, FEBRUARY 28, 1997

Mower Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 2029-96, passed by the Council of the City of Cleveland, December 16, 1996.

Luke Easter Recreation Center - Dasher Board Installation, for the Division of Architecture, Department of Parks, Recreation and Properties as authorized by Ordinance No. 1455-94, passed by the Council of the City of Cleveland, November 21, 1994.

February 12 and February 19, 1997

WEDNESDAY, MARCH 5, 1997

Lake Road Exterior Maintenance (Masonry Cleaning and Repair), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 424-96, passed by the Council of the City of Cleveland, May 6, 1996.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 26, 1997, 10:00 A.M. AT THE OFFICES OF CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE. ATTENDANCE IS MANDATORY.

February 12 and February 19, 1997

THURSDAY, MARCH 6, 1997

Building Ventilation Equipment, for the Division of Property Management, Department of Parks, Recreation and Properties as authorized by Ordinance No. 1028-93, passed by the Council of the City of Cleveland, June 7, 1993.

February 12 and February 19, 1997

WEDNESDAY, MARCH 12, 1997

New Cleveland Browns Stadium Project Insurance, for the Department of Parks, Recreation and Properties as authorized by Ordinance No. 2193-96, passed by the Council of the City of Cleveland.

A PRE-BID MEETING WILL BE HELD ON WEDNESDAY, FEBRUARY 26, 1997, AT 10:00 A.M. IN ROOM 514 OF CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

February 12 and February 19, 1997

THURSDAY, MARCH 13, 1997

Residential Sound Insulation Program - Phase 2 - Group E, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 930-95, passed by the Council of the City of Cleveland, June 19, 1995.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON FEBRUARY 27, 1997, 10:00 A.M. IN CONCOURSE "B" CONFERENCE ROOM, CLEVELAND HOPKINS PASSENGER TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE.

February 12 and February 19, 1997

WEDNESDAY, MARCH 12, 1997

Rehabilitation of the Exterior Surfaces of the Ledge Water Tower, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 248-96 and 1610-96, passed by the Council of the City of Cleveland, May 6, 1996 and December 16, 1996, respectively.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MARCH 3, 1997, 10:00 A.M. IN AUDITORIUM A OF THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO.

Service and Maintenance of Various Heating Ventilation and Air Conditioning Equipment, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1457-96, passed by the Council of the City of Cleveland, September 23, 1996.

A MANDATORY PRE-BID CONFERENCE WILL BE HELD ON THURSDAY, MARCH 5, 1997, 10:00 A.M. AT THE OFFICE OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO.

February 19 and February 26, 1997

THURSDAY, MARCH 13, 1997

Masonry Repairs at Engine House No. 26, for the Division of Property Management, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1028-93, passed by the Council of the City of Cleveland, June 7, 1993.

Meals for Prisoners, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1939-96, passed by the Council of the City of Cleveland, December 2, 1996.

Maintenance and Testing of Elevators, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1934-96, passed by the Council of the City of Cleveland, December 2, 1996.

Breathing Air Compressor, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 825-96, passed by the Council of the City of Cleveland, June 18, 1996.

February 19 and February 26, 1997

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 231-97.**

By Councilmen Westbrook and Robinson.

An emergency resolution urging Governor George V. Voinovich to direct the Ohio Department of Human Services to implement the approved waiver of the food stamp cutoff provision in the federal welfare law.

Whereas, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 contains a provision that limits single, childless, unemployed workers to eligibility for food stamp benefits for three months during a three-year period; and

Whereas, Congress added provisions to allow states to apply for a waiver of the provision in areas of high unemployment or insufficient jobs; and

Whereas, the State of Ohio has applied for and received a waiver for areas within the State, including the City of Cleveland, that have been deemed surplus labor areas by the United States Department of Labor; and

Whereas, these surplus labor areas had unemployment rates that exceeded the national average by 20% during the years 1994 and 1995; and

Whereas, without the implementation of the approved waiver, approximately 11,000 Cleveland residents will lose their food stamp benefits within a few weeks; the economic value of these food stamp benefits to Cleveland residents is estimated at \$8 million; and

Whereas, the implementation of the approved waiver will not interfere with the State of Ohio's ability to enforce strict work requirements for food stamp recipients; and

Whereas, the population which will be affected if the waiver is not implementation is very poor with little or no safety net available to them; nearly half of the persons subjected to the proposed time limit receive no benefits other than food stamps. Forty percent of those affected are women, one-third are over the age of 40, and many are veterans or are homeless; now, therefore,

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

Section 1. That this Council hereby urges Governor George V. Voinovich to direct the Ohio Department of Human Services to implement the waiver of the food stamp cutoff provision in the federal welfare law.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to Governor George V. Voinovich and to the Director of the Ohio Department of Human Services.

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

Adopted February 10, 1997.
Effective February 18, 1997.

Res. No. 232-97.

By Councilman Melena.

An emergency resolution objecting to the stock transfer of a C2, C2X and D6 Liquor Permit to 5910 Detroit Avenue.

Whereas, Council has been notified by the Director of Liquor Control of an application for the stock transfer of a C2, C2X and D6 Liquor Permit to Permit No. 9125555, Two N. Inc., dba Convenient Food Mart 3112, 5910 Detroit Avenue, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the stock transfer of a C2, C2X and D6 Liquor Permit to Permit No. 9125555, Two N. Inc., dba Convenient Food Mart 3112, 5910 Detroit Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section

4303.26 of the Revised Code of Ohio.

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

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

Adopted February 10, 1997.

Effective February 18, 1997.

Res. No. 233-97.

By Councilmen O'Malley, Westbrook, Coats, Patmon and Polensek.

An emergency resolution supporting decent working conditions and fair pay for California strawberry workers and the efforts of the AFL-CIO to increase public awareness of the working conditions of California strawberry workers.

Whereas, there are 20,000 workers in California who supply 70% of the strawberries grown in the United States; and

Whereas, these 20,000 men, women and children typically spend 10 to 12 hours a day in the fields, picking fruits from ankle-level plants, suffering chronic back pain and injuries as well as the dangerous effects of pesticides; and

Whereas, California strawberry workers have not received a pay raise above the poverty level for ten years; and

Whereas, California strawberry workers have few or no benefits, and bad working conditions are common; and

Whereas, the United Farm Workers of America and the AFL-CIO is leading a national public pledge campaign to increase awareness of the working conditions of the California strawberry workers; 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 the Council supports decent working conditions and fair pay for California strawberry workers and the efforts of the AFL-CIO to increase public awareness of the working conditions of California strawberry workers.

Section 2. That the Clerk of Council be and she is hereby directed to transmit a copy of this resolution to the United Farm Workers of America and the AFL-CIO.

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

Adopted February 10, 1997.

Effective February 18, 1997.

Res. No. 234-97.

By Councilman Patmon.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit to 1048 East 76th Street, and repealing Res. No. 1518-95, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 1048 East 76th Street by Res. No. 1518-95, adopted August 23, 1995; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to 1048 East 76th Street be and the same is hereby withdrawn and Res. No. 1518-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted February 10, 1997.

Effective February 18, 1997.

Res. No. 235-97.

By Councilmen Polensek, Gordon, Sweeney and Zone.

An emergency resolution urging WCPN 90.3 FM to continue to support nationality broadcasting on public radio station WCPN.

Whereas, as we close the chapters on our City's Bicentennial, we are cognizant of the great ethnic diversity that has made the City of Cleveland the great city it is today; and

Whereas, keeping this in mind, it is with great concern that I note the resignation of three nationality broadcasters and the cutback in airtime at public radio station WCPN 90.3 FM;

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

Section 1. That this Council strongly urges public radio station WCPN 90.3 FM to continue to support nationality broadcasting on WCPN and recognize the vital link with other cultures that nationality broadcasting provides the citizens of our community.

Section 2. That the Clerk of Council transmit a copy to Kathryn Jensen, the General Manager of WCPN.

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

Adopted February 10, 1997.

Effective February 18, 1997.

Res. No. 236-97.

By Councilman Robinson.

An emergency resolution withdrawing objection to the stock transfer of a C1 and C2 Liquor Permit to 4025 East 131st Street, and repealing Res. No. 2064-96, objecting to said stock transfer.

Whereas, this Council objected to the stock transfer of a C1 and C2 Liquor Permit to 4025 East 131st Street by Res. No. 2064-96, adopted November 11, 1996; and

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

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

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

Section 1. That objection to the stock transfer of a C1 and C2 Liquor Permit to 4025 East 131st Street be and the same is hereby withdrawn and Res. No. 2064-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

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

Adopted February 10, 1997.

Effective February 18, 1997.

Res. No. 237-97.

By Councilman Rybka.

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

Whereas, this Council is satisfied that there is good cause for vacating a portion of Forman Avenue S.E., as hereinafter described, and

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

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

Section 1. That it hereby declares its intention to vacate:

The following described real property, located in Cleveland, Cuyahoga County, Ohio, and known as:

Being all that portion of FORMAN AVENUE S.E. (40.00 feet wide), from the Northeasterly line of Broadway (60.00 feet wide), North-easterly to the Southwesterly line of Aetna Road S.E. (40.00 feet wide).

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

Adopted February 10, 1997.

Effective February 18, 1997.

Res. No. 238-97.

By Councilman Zone.

An emergency resolution withdrawing objection to the transfer of ownership of a D1 and D2 Liquor Permit to 13720 Lorain Avenue, and repealing Res. No. 2072-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D1 and D2 Liquor Permit to 13720 Lorain Avenue by Res. No. 2072-96, adopted November 18, 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 D1 and D2 Liquor Permit to 13720 Lorain Avenue be and the same is hereby withdrawn and Res. No. 2072-96, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted February 10, 1997.

Effective February 18, 1997.

Ord. No. 1598-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of heating, ventilating and air conditioning equipment and supplies, including on-site supplies, including on-site service if necessary, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period of one year.

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 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 heating, ventilating and air conditioning equipment and supplies, including on-site service if necessary, 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 Property Management, Department of Parks, Recreation and Properties. 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 one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire one 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 20315)

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 February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1800-96.
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 County Criminal Justice Service Agency for the Cop Youth Crime Action Team Program, and to enter into contracts with 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 Public Safety is hereby authorized to apply for and accept a grant in the amount of \$112,462.50, from the County Criminal Justice Service Agency, to conduct the Cop Youth Crime Action Team 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. 1800-96-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$37,487.50, from Fund No. 01-60-02-0901, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized to enter into contracts with a Team Administrator, a Law Enforcement Coordinator and a Youth/Gang Crime Analyst necessary to implement the Cop Youth Crime Action Team Program.

Section 4. That the Director of Public Safety shall provide quarterly reports regarding this program to the City Council. These reports shall include a listing of all individuals, groups and organizations which have been serviced by this program within each ward.

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 February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1981-96.
By Councilmen Paulenske, Johnson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to lease City-owned property located on the southeast corner of Kirtland Park at East 49th Street and South Marginal Road to the Ohio Department of Natural Resources, or their designee, for the purpose of developing, maintaining and operating a Cleveland Civilian Conservation Corp Camp, for a term not to exceed twenty five years.

Whereas, the City of Cleveland owns certain property located on the southeast corner of Kirtland Park at East 49th Street and South Marginal Road which is not needed for public use for the next twenty-five (25) years; and

Whereas, the Ohio Department of Natural Resources ("ODNR"), or their designee, has proposed to lease said property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Parks, Recreation and Properties is authorized to lease to ODNR, or their designee, certain property which is determined to be not needed for public use for the term of the lease and which is described as follows:

S.E. corner of Kirtland Park at
East 49th Street and
South Marginal Road
Permanent Parcel No. 104-01-002A
(1.68046 Acre Tract)

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being part of Original Lots 158 and 159, and also being part of a tract of land conveyed to the City of Cleveland in Deed Volume 2085, Page 630 and being more particularly described as follows:

Beginning for Reference at an iron rod found in the centerline intersection of South Marginal Road and East 49th Street;

Thence with centerline East 49th Street, South 24° 01' 45" East, a distance of 585.02 feet to a stone found in the Northerly line of the Lake Shore and Michigan South Railway Company (now Conrail Railroad) said point being the True Point of Beginning of this description;

(1) Thence with the Northerly line of said Conrail Railroad land, South 65° 20' 43" West, a distance of 288.23 feet to an iron rod set;

(2) Thence North 25° 29' 51" West, a distance of 147.55 feet to an iron rod set at a point of curvature of said lease line;

(3) Thence with a curve to the right, having a radius of 130.00 feet, a central angle of 87° 34' 19", and a chord of 179.91 feet bearing North 18° 17' 22" East, an arc distance of

198.69 feet to an iron rod set at a point of tangency to said lease line;

(4) Thence North 62° 04' 53" East, a distance of 21.53 feet to an iron rod set at a point of curvature of said lease line;

(5) Thence with a curve to the right, having a radius of 125.00 feet, a central angle of 54° 14' 01", and a chord of 113.95 feet bearing North 89° 11' 37" East, an arc distance of 118.32 feet to an iron rod set at a point of tangency to said lease line;

(6) Thence South 63° 38' 50" East, a distance of 22.21 feet to an iron rod set at a point of curvature of said lease line;

(7) Thence with a curve to the right, having a radius of 200.00 feet, a central angle of 16° 56' 01", and a chord of 58.89 feet bearing South 55° 13' 25" East, an arc distance of 59.11 feet to an iron rod set in the Westerly line of East 49th Street;

(8) Thence with the Westerly line of said East 49th Street, South 24° 01' 45" East, a distance of 166.43 feet to the TRUE POINT OF BEGINNING, containing 1.68046 acres, more or less, and being subject to all easements and rights of ways of record.

The above description was prepared by Robert L. Sneller, Professional Surveyor 6738, of the Ohio Department of Natural Resources, Division of Engineering, based on an actual field survey. Bearings are based upon a magnetic observation taken on the site in July of 1996. All iron rods set are 3/4" rebars with plastic caps stamped "ODNR BOUNDARY".

Section 2. That the term of the lease authorized by Section 1 shall not exceed twenty-five (25) years.

Section 3. That the property described in Section 1 shall be leased at a rental of One Dollar (\$1.00) per year.

Section 4. That the lease may authorize the lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law and shall contain such authorized terms and conditions as are required to protect the interests of the City.

Section 6. That the Director of Parks, Recreation and Properties and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other actions as may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed February 10, 1997.

Effective February 18, 1997.

Ord. No. 2033-96.
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 modify and maintain the Trac-Vac residuals collection system at the Garrett A. Morgan Waterworks Facility, 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 modify and maintain the Trac-Vac residuals collection system at the Garrett A. Morgan Waterworks Facility 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 20970)

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 2123-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance appropriating the funds credited to Fund 10 SF 501 for General Fund purposes.

Whereas, pursuant to Ordinance No. 55-94, passed June 6, 1994, this Council authorized the issuance of Public Power System First Mortgage Revenue Bonds for the purpose of providing funds to pay the amount of the judgment in CEI v. City of Cleveland, Common Pleas Case No. 78605; and

Whereas, in Ordinance No. 55-94, this Council directed that the proceeds of the bonds, after payment of accrued interest and establishment of the necessary reserve fund, be deposited in Fund No. 10 SF 500 in the General Fund of the City; and

Whereas, pursuant to Ordinance No. 56-94, passed June 13, 1994, this Council authorized that the bond proceeds previously deposited in Fund No. 10 SF 500 be deposited into Fund No. 10 SF 501 and to be expended for restricted purposes; and

Whereas, the Internal Revenue Service has determined that, for federal tax purposes, the bond proceeds should be appropriated for unrestricted General Fund purposes which may include the restricted purposes of Ordinance No. 56-94; 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 any ordinance to the contrary, the funds credited to Fund No. 10 SF 501 are hereby appropriated to provide funds for the purposes of general municipal operations, procurement of fixed assets or permanent improvements, payment of debt charges, the elimination of deficits in City funds and for all other lawful purposes; provided, however, that all expenditures from Fund 10 SF 501 shall require concurrent authorizing legislation and provided further that any expenditure from Fund 10 SF 501 for purposes other than those specified in Ord. 56-94 shall include in such authorizing legislation a requirement that the Director of Finance execute a certification certifying that an amount equal to the amount of such expenditure will be concurrently transferred into Fund 10 SF 501 from available funds for use for purposes specified in Ord. 56-94.

Section 2. That, the City will provide for the restricted purposes of Ordinance No. 56-94 from funds appropriated to provide funds for the purposes of general municipal operations, procurement of fixed assets or permanent improvements, payment of debt charges, the elimination of deficits in City funds and for all other lawful purposes, though those appropriated funds may or may not include funds in Fund No. 10 SF 501.

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 February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2131-96.
By Councilman Westbrook.
An ordinance to change the Use, Area, and Height Districts of lands on the southwesterly side of Detroit Avenue, N.W. to the center line of the Rapid Transit - N.Y.C., R.R. tracks. (Map Change No. 1922, Sheet No. 1)

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

Section 1. That the Use, Area, and Height Districts of lands bounded and described as follows, Beginning at the intersection of the center line of Detroit Avenue, N.W. and the center line of the Rapid Transit, New York Central Railroad (L. S. & M.S. RWY) tracks; thence southwesterly along said center line of said Rapid Transit, New York Central Railroad (L.S. & M.S. RWY) tracks to its intersection with the southwesterly extension of the northwesterly line of Sublot No. 10 in the Jennings, Wetmore, Schilling

Et. Al Allotment as recorded in Volume 3, Page 47 of the Cuyahoga County Map Records; thence northeasterly along said southwesterly extension and along said northwesterly line of said Sublot No. 10 and along its northeasterly extension to the center line of Detroit Avenue, N.W.; thence southeasterly along said center line of Detroit Avenue, N.W. to the place of beginning,

and as outlined in red on the map hereto attached, be and the same is hereby changed to a Residence Office District, a 'C' Area District, and a '2' Height District.

Section 2. That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1922, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission 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.

Passed February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2151-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by requirement contract of disposal of catch basin debris at a sanitary landfill, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized and directed to make a written 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 disposal of catch basin debris at a sanitary landfill 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 23008)

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 2188-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with Digital Matrix Services, Inc. for software maintenance for the City's Geographic Information system, for the Division of Engineering and Construction, 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 enter into contract with Digital Matrix Services, Inc. for software maintenance for the City's Geographic Information System for a period of one year on the basis of its proposal dated August 13, 1996, payable from Fund No. 10 SF 006, Request No. 21925, for the Division of Engineering and Construction, Department of Public Service.

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 2191-96.
By Councilmen Coats and Rokakis (by departmental request).

An emergency ordinance authorizing and directing the Director of Public Service to enter into contract without competitive bidding with Data General Corporation for the purchase of computer hardware and operating system maintenance services, for the Division of Engineering and Construction, Department of Public Service, for a one year period.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Data General Corporation. Therefore, the Director of Public Service is hereby authorized and directed to make a written contract with said Data General Corporation upon the basis of its proposal dated August 4, 1996, for computer hardware and operating system maintenance services for various components of the City's Geographic Information Sys-

tem for a period commencing January 1, 1997, and expiring December 31, 1997, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Engineering and Construction, Department of Public Service.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 10 SF 006, Request No. 21926.

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 2192-96.
By Councilmen Coats, Rybka and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of grinding pavement and authorizing the Director of Public Service to enter into a public improvement requirement contract for the making of such improvement for a period of one year and to extend Contract No. 48530 with Kenmore Asphalt Co.

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 grinding pavement, for the Division of Streets, Department of Public Service, by a public improvement requirement contract duly let to the lowest responsible bidder upon a unit basis for the improvement.

Section 2. That, the Director of Public Service is hereby authorized and directed to enter into a requirement contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement for the period of not to exceed one year. 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 Director of Public Service until provision is made for the requirements for the entire year.

Section 3. That the Director of Public Service is hereby authorized to extend Contract No. 48530 with Kenmore Asphalt Co. with the same terms and conditions, until such time as the City enters into a new contract for pavement grinding pursuant to Section 1 of this ordinance.

Section 4. That the cost of said contract and the extension shall be paid from Fund No. 10 SF 401, Request No. 21331.

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 February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2197-96.
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 make hydraulic repairs, 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 labor and materials necessary to make hydraulic repairs, 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 23390)

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 2198-96.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract for a maintenance agreement without competitive bidding with Banctec Service Corp. on not to exceed two Banctec payment transaction processors and supporting equipment, for the Division of Fiscal Control, Department of Public Utilities.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Banctec Service Corp. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said Banctec Service Corp. upon the basis of its proposal dated November 15, 1996, for a maintenance agreement on not to exceed two Banctec payment transaction processors and supporting equipment, including all parts and labor, for a one year period, with an option to renew for an additional one year period, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Fiscal Control, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 50 SF 001, Request No. 20931.

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 February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2199-96.
By Councilmen Polensek, Patton, Rybka and Rokakis (by departmental request).

An emergency ordinance determining the method of making the public improvement of replacing a storm sewer on Pawnee Avenue, 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 replacing a storm sewer on Pawnee Avenue, for the Division of Water Pollution Control, 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. 54 SF 001, Request No. 23010.

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 2200-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of replacing a combined sewer on Rosewood Avenue, 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 replacing a combined sewer on Rosewood Avenue, for the Division of Water Pollution Control, 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. 54 SF 001, Request No. 23009.

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 2201-96.
By Councilmen Patton, Rybka and Rokakis (by departmental request).
An emergency ordinance determining the method of making the public improvement of replacing a sewer on Rustic Avenue, 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 replacing a sewer on Rustic Avenue, for the Division of Water Pollution Control, 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. 54 SF 001, Request No. 23011.

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 February 10, 1997.
Effective February 18, 1997.

Ord. No. 2204-96.
By Councilmen Polensek and Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the U.S. Department of Justice Office of Community Oriented Policing Services for the COPS Universal Hiring 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 \$2,700,000, from the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS), to conduct the COPS Universal Hiring 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 Director of Public Safety shall provide a monthly report to the City Council regarding the deployment, by platoon or unit within the six police districts, of personnel hired pursuant to this grant.

Section 3. That the application for said grant, File No. 2204-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 19-97.
By Councilmen Patton and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the purchase by contract of not to exceed thirty six pieces of heavy duty equipment, 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 four (4) backhoes with accessories, one (1) sandblaster with accessories, not to exceed twenty seven (27) tag-along air compressors, not to exceed three (3) backhoe trailers, and one (1) trav-l-vac and accessories, 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. 23391.

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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 112-97.
By Councilman Britt (by request).
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to The Benjamin Rose Institute to hang banners which will encroach into the right-of-way of Fairhill Road, S.E. and Martin Luther King Jr. Drive for a period of one year.

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. The Director of Public Service is hereby authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee, with the consent of the Director of Public Service to the Benjamin Rose Institute located in the Citizens Building at 850 Euclid

Avenue, Suite 1100, Cleveland, Ohio 44114; its successors and assigns, to construct, use and maintain approximately sixteen (16) new or replacement banners, to be attached to utility poles, which will encroach into the public right-of-way of Fairhill Road, S.E. on C.E.I. pole numbers 541137, 541136, 541135 and Martin Luther King Jr. Drive on C.E.I. pole numbers 540520, 540522, 540524, 540526 and 540528 for a period of one (1) year.

Section 2. That nothing herein contained shall create the right or grant permission from any owner/owners of the utility poles for their use to attach hanging brackets and aforesaid banners which will encroach into the public right-of-way of Fairhill Road S.E. and Martin Luther King Jr. Drive.

Section 3. That the banners are to be placed in the public right-of-way of Fairhill Road S.E. and Martin Luther King Jr. Drive at the locations aforesaid, supra, and shall be constructed in accordance with plans and specifications approved in writing by the Commissioner of Engineering and Construction.

Section 4. 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 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 February 10, 1997.

Effective February 18, 1997.

Ord. No. 120-97.
By Councilman Rokakis (by departmental request).
An emergency ordinance authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to apply for and accept a grant from the Cleveland Foundation for the Cleveland Municipal Court Staff Training - Cleveland Foundation Grant; and to enter into contract with D.L. Cummings, Inc. to implement the program.

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

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

Section 1. That the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, is hereby authorized to apply for and accept a grant in the amount of \$37,600.00, from the Cleveland Foundation, to conduct the Cleveland Municipal Court Staff Training - Cleveland Foundation Grant for the purposes set forth in the application and according thereto; that the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, 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. 120-97-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

Passed February 10, 1997.

Effective February 18, 1997.

Ord. No. 227-97.

By Councilman Paulenske.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Revco to stretch banners on Euclid Avenue at 1900 Euclid Avenue and at East 22nd Street and Euclid Avenue for the period from April 5, 1997 to May 5, 1997, inclusive, publicizing the Revco Marathon and 10K Race.

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 Revco to install, maintain and remove banners on Euclid Avenue at 1900 Euclid Avenue (pole numbers B65-30 and B65-16) and at East 22nd Street and Euclid Avenue (pole numbers B65-19 and BO21-14 and BO21-15) for the period from April 5, 1997 to May 5, 1997, inclusive. Said banners shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which banners will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed February 10, 1997.

Effective February 18, 1997.

Ord. No. 228-97.

By Councilmen Paulenske and Britt.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to KeyBank to stretch banners on the Cleveland State University walkway on East 22nd Street (north of Euclid Avenue) and on the Cleveland Clinic walkway on Carnegie Avenue near East 96th Street for the period from March 13, 1997 to April 14, 1997, inclusive, publicizing the Diabetes Association's Swim for Diabetes.

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 KeyBank to install, maintain and remove banners on the Cleveland State University walkway on East 22nd Street (north of Euclid Avenue) and on the Cleveland Clinic walkway on Carnegie Avenue near East 96th Street for the period from March 13, 1997 to April 14, 1997, 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 banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed February 10, 1997.

Effective February 18, 1997.

Ord. No. 229-97.

By Councilmen Paulenske, Smith and Melena.

An emergency ordinance consenting and approving the issuance of a permit for a Marathon and 10K Race on May 4, 1997, sponsored by Revco.

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 Marathon and 10K Race, sponsored by Revco,

on May 4, 1997, with the Marathon beginning at Cleveland State University, west on Euclid Avenue to East Public Square Drive, north on East Public Square Drive to Superior Avenue, east on Superior Avenue to East 45th Street, north on East 45th Street to St. Clair Avenue, west on St. Clair Avenue to Ontario Street, south on Ontario Street to Carnegie Avenue, west on Carnegie Avenue to the Hope Memorial Bridge, west over the Hope-Memorial Bridge to West 25th Street, north on West 25th Street to Detroit Avenue, west on Detroit Avenue to Lake Avenue, west on Lake Avenue and outside of the City of Cleveland limits into the City of Lakewood and upon returning from Lakewood, go east on Lake Avenue to Detroit Avenue, east on Detroit Avenue to the Veterans Memorial Bridge, east on the Veterans Memorial Bridge to West Public Square Drive, south on West Public Square Drive to Euclid Avenue, east on Euclid Avenue to the finish line at Cleveland State University; and the 10K Race beginning at Cleveland State University, west on Euclid Avenue to East Public Square Drive, north on East Public Square Drive to Superior Avenue, east on Superior Avenue to East 45th Street, north on East 45th Street to St. Clair Avenue, west on St. Clair Avenue to Ontario Street, south on Ontario Street to Euclid Avenue, east on Euclid Avenue to the finish line at Cleveland State University, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 10, 1997.

Effective February 18, 1997.

Ord. No. 230-97.

By Councilmen Smith and Paulenske.

An emergency ordinance consenting and approving the issuance of a permit for the 1997 M.S. Walk on April 13, 1997, sponsored by the Multiple Sclerosis Society.

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 Ord-

nances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 1997 M.S. Walk, sponsored by the Multiple Sclerosis Society, on April 13, 1997, beginning at the Nautica Entertainment Complex in the Flats, exit the complex via Washington Avenue, continue west on Washington (south side) to W. 25th Street, turn left onto W. 25th Street, continue south on W. 25th Street (east side) crossing Superior Viaduct, continue on W. 25th Street to the corner of W. 25th Street and Lorain, turn left onto Lorain Avenue and proceed east over the Lorain-Carnegie Bridge to Ontario St.; at the traffic lights, cross from the west to the east side of Ontario, turn left and continue north on Ontario St. to Huron Road, turn right onto Huron Road and continue east on Huron Road to E. 6th Street, turn right onto E. 6th Street and continue south on E. 6th Street to Eagle Avenue, turn left on Eagle Avenue and continue east on Eagle Avenue to E. 9th Street; at the corner of E. 9th Street and Eagle, turn left, cross from the south to the north side of Eagle and proceed north on E. 9th Street to Bolivar; at traffic light, turn right and cross from the west to the east side of E. 9th Street, turn right and continue south on E. 9th Street to Sumner Court; turn left onto Sumner Court and continue east on Sumner Court to E. 14th Street, turn left on E. 14th Street and continue north on E. 14th Street to Prospect Avenue; turn right at corner of E. 14th Street and Prospect and at traffic light, cross from the west to the east side of E. 14th Street, turn left and at traffic light, cross from the south to the north side of Prospect, turn right and continue east on Prospect to E. 22nd Street; turn left on E. 22nd Street and continue on E. 22nd Street to Euclid Avenue; turn left onto Euclid Avenue, continue west on Euclid Avenue crossing E. 18th Street, E. 17th Street, E. 14th Street, E. 13th Street, E. 12th Street, E. 9th Street and E. 6th Street to Public Square; at the intersection of Public Square and Euclid Avenue, turn right at the traffic light and cross from the south to the north side of Euclid Avenue, turn right onto Public Square (BP Building), continue north on Public Square to Superior; at traffic light, cross from east to west side of Public Square, continue west on Superior to W. 6th Street; at traffic light, cross from the north to south side of Superior, turn right onto W. 6th Street and continue north on W. 6th Street to W. St. Clair, turn right and continue east on W. St. Clair crossing Ontario, E. 6th Street, E. 9th Street, E. 12th Street and E. 13th Street to E. 17th Street; at the corner of E. 17th Street and St. Clair, turn left; at traffic light, cross from south to north side of St. Clair, continue north on E. 17th Street to Lakeside and turn right, cross from west to east side of E. 17th Street and turn left, cross from south to north side of Lakeside, turn left and continue west on Lakeside to E. 9th Street, turn right onto E. 9th Street, continue north on E. 9th Street, cross Erieside Avenue to North Coast Parking Lot, follow circular park-

ing lot (thereby turning around) and proceed south on E. 9th Street, cross Erieside Avenue to Lakeside; at intersection of Lakeside and E. 9th Street, turn right and continue west on Lakeside to W. 3rd Street; at intersection of W. Lakeside and W. 3rd Street, turn left and at traffic light, cross from the north to the south side of W. Lakeside and turn right; at traffic light, cross from the east to west side of W. 3rd Street, continue west on W. Lakeside to W. 9th Street; turn left and continue south on W. 9th Street to Superior; at the intersection of W. 9th Street and Superior, turn right and at traffic light, cross from east to the west side of W. 9th Street, turn left and at traffic light cross Huron Road from the north to the south side; turn right and continue west over the Detroit-Superior Bridge to W. 25th Street and turn right onto W. 25th Street; at traffic light, cross Old Superior Viaduct and continue north on W. 25th Street to Main, turn right onto Main and continue east on Main to the Nautica Parking Lot, turn right into the parking lot and proceed to the Nautica Entertainment Complex, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed February 10, 1997.

Effective February 18, 1997.

Ord. No. 239-97.

By Councilmen Westbrook, Patton and Polensek.

An emergency ordinance establishing the goals for contracting and hiring in connection with the Cleveland Municipal Stadium Project.

Whereas, on March 8, 1996, this Council passed Ordinance No. 303-96, wherein Section 12 of said ordinance enumerated certain goals for all contracting and hiring in connection with the Cleveland Municipal Stadium Project, which project was authorized pursuant to Ordinance Nos. 303-96, 304-96, 305-96, and 306-96 (the "Stadium legislation"); and

Whereas, since the passage of the Stadium legislation, the Director of the Office of Equal Opportunity of the Office of the Mayor of the City of Cleveland has found and determined that the goals set forth in Ordinance No. 303-96 can not be sat-

isfied fully; and

Whereas, these new goals for the contracting and hiring have been prepared by the Director of the Office of Equal Opportunity and have been submitted to this Council for consideration; 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 anything to the contrary contained in the Codified Ordinances, Cleveland, Ohio 1976, or Ordinance No. 303-96, passed March 8, 1996, and based upon the facts and conditions submitted to Council by the Director of the Office of Equal Opportunity and upon the testimony presented to this Council, the Council hereby determines that the following goals for contracting and hiring at the Cleveland Municipal Stadium project as authorized by Ordinance Nos. 303-96, 304-96, 305-96 and 306-97 will apply:

A goal of forty percent (40%) of all construction jobs to be filled by residents of the City of Cleveland; a goal of twenty-five percent (25%) of all construction jobs to be filled by minority persons, as minority person is defined in Chapter 187 of the Codified Ordinances; and a goal of seven and one-half percent (7.5%) to be filled by females.

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 February 10, 1997.

Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

Tuesday, February 18, 1997

Public Parks, Property and Recreation Committee (Joint with City Planning Committee): 10:00 A.M. — Present: Johnson, Chrm.; Rybka, Vice Chrm.; Patton, Paulenske, Sweeney, White. Excused: Robinson.

City Planning Committee (Joint with Public Parks, Property and Recreation Committee): 10:00 A.M. — Present: Rybka, Chrm.; Britt, Vice Chrm.; Paulenske, Gordon, White, Zone. Excused: O'Malley.

Wednesday, February 19, 1997

Community and Economic Development Committee (Block Grant): 9:30 A.M. — Present: Jackson, Chrm.; Paulenske, Vice Chrm.; Britt, Lewis, Melena, Patton, Smith. Excused: Coats, Willis.

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