

The City Record

Official Publication of the City of Cleveland

January the First, 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	James Rokakis
16	Patrick J. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Dale Miller
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	James Rokakis	4685 Dornur Road	44109
16	Patrick J. O'Malley	6111 Brookside Drive	44144
17	Timothy J. Melena	6109 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Dale Miller	4300 West 143rd Street	44135
21	Michael A. Dolan	16519 West Park Road	44111

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.
 Linda Willis, Director, Office of Equal Opportunity

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

DEPT. OF FINANCE - Martin L. Carmody, Acting 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, Donald L. Haskins, Commissioner, Harvard
 Yards
 Architecture - Kenneth Nobile, Commissioner, Room 517

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

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

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

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

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

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

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

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

DEPT. OF AGING - Rm. 122, Delores Alexander, Acting 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; Todd W. Schmidt, 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, _____,
 Councilmen James Rokakis, 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 Nobile, Theodore Sande, Randall Shorr, Shirley Thompson,
 Councilmen Craig E. Willis and Helen K. Smith.

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

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

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

The City Record



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WEDNESDAY, JANUARY 1, 1997

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CITY COUNCIL

MONDAY, DECEMBER 30, 1996

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1994-1997

MONDAY—Alternating

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

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

MONDAY—Alternating

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

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

MONDAY

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

TUESDAY

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

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

WEDNESDAY—Alternating

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

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

WEDNESDAY—Alternating

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

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

December 31, 1996

The special meeting of the Board of Control convened in the Mayor's office on Tuesday, December 31, 1996, at 11:00 a.m., with Acting Mayor Sobol Jordan presiding.

Present: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Director Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj and Director Lynch.
Absent: None.

Others: William Moon, Commissioner, Purchases and Supplies.

On motion, the following resolutions were adopted.

Resolution No. 934-96.

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that the bid of J.J. Turner, Inc. dba Turner Equipment Co. for the following: One (1) catch basin cleaning machine body replacement and other necessary replacements for the Division of Water Pollution Control, Department of Public Utilities, received on the 13th day of November, 1996, pursuant to the authority of Ordinance No. 1033-96, passed July 17, 1996, which on the basis of order quantities would amount to \$45,000.00, (5% 31 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Wal-

dron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.

Absent: None.

Resolution No. 935-96.

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that the bid of J.J. Turner, Inc. dba Turner Equipment Co. for the following: Two (2) catch basin cleaning machine body replacements and other necessary replacements for the Division of Water Pollution Control, Department of Public Utilities, received on the 13th day of November, 1996, pursuant to the authority of Ordinance No. 1818-95, passed December 18, 1995, which on the basis of order quantities would amount to \$90,000.00, (5% 31 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.

Absent: None.

Resolution No. 936-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of R. P. Carbone Construction Co. for the public improvement of the rehabilitation of Harvard Yards Facility Phases III and IV, including alternate no. 3 for \$22,000.00, a work allowance of \$730,000.00 and a contingency allowance of \$1,362,200.00 for the Division of Water, Department of Public Utilities, received on November 20, 1996, pursuant to the authority of Ordinance No. 1573-89, passed August 30, 1989, upon a unit basis for the improvement in the aggregate amount of fourteen million nine hundred sixty two thousand two hundred dollars (\$14,962,200.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors to R. P. Carbone Construction Co. for the above-mentioned public improvement hereby are approved:

NAME	MBE/FBE
Laurence Harris Construction	10.4% (MBE)

Choice Construction	8.7% (MBE)
A&L Sewer	4.0% (MBE)
Atlas Electric	11.0% (FBE)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 937-96.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 820-95, passed by the Cleveland City Council on June 5, 1995, the firm of Dingus & Daga Inc. (MBE "Consultant") is hereby selected upon the nomination of the Director of Port Control from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Port Control as certified public accountants to be employed by contract for the purpose of supplementing the regularly employed staff of the Department of Port Control to provide concession audits of food, fixed base operator, and parking concessions at Cleveland Hopkins International Airport for the Department of Port Control.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with Dingus & Daga, Inc. based on its proposal dated October 15, 1996, which contract shall be prepared by the Director of Law and shall include such additional provisions as she deems necessary to benefit and protect the public interest.

Be it further resolved that the fees for such services to be performed the contract authorized hereby shall be as stated in the proposal of Dingus & Daga in an amount not to exceed thirty-eight thousand seven hundred and no/100 dollars (\$38,700.00)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 938-96.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 820-95, passed by the Cleveland City Council on June 5, 1995, the firm of Claude C. Butler, CPA (MBE "Consultant") is hereby selected upon the nomination of the Director of Port Control from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Port Control as certified public accountants to be employed by contract for the purpose of supplementing the regularly employed staff of the Department of Port Control to provide the Global Services audit at Cleveland Hopkins International Airport for the Department of Port Control.

Be it further resolved that the Director of Port Control is hereby

authorized to enter into a written contract with Claude C. Butler, CPA based on its proposal dated October 15, 1996, which contract shall be prepared by the Director of Law and shall include such additional provisions as she deems necessary to benefit and protect the public interest.

Be it further resolved that the fees for such services to be performed the contract authorized hereby shall be as stated in the proposal of Claude C. Butler, CPA in an amount not to exceed two thousand eight hundred and no/100 (\$2,800.00)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 939-96.

By Director Cunningham.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 820-95, passed by the Cleveland City Council on June 5, 1995, the firm of Kevin L. Penn, Inc. (MBE "Consultant") is hereby selected upon the nomination of the Director of Port Control from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Port Control as certified public accountants to be employed by contract for the purpose of supplementing the regularly employed staff of the Department of Port Control to provide the hospitality service audit at Cleveland Hopkins International Airport for the Department of Port Control.

Be it further resolved that the Director of Port Control is hereby authorized to enter into a written contract with Kevin L. Penn, Inc. based on its proposal dated October 15, 1996, which contract shall be prepared by the Director of Law and shall include such additional provisions as she deems necessary to benefit and protect the public interest.

Be it further resolved that the fees for such services to be performed the contract authorized hereby shall be as stated in the proposal of Kevin L. Penn, Inc. in an amount not to exceed eight thousand four hundred five and no/100 (\$8,405.00)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 940-96.

By Director Cunningham.

Whereas, by Resolution No. 779-96, adopted October 30, 1996, pursuant to the authority of Ordinance No. 820-96 passed by the Council of the City of Cleveland on June 10, 1996, this Board of Control approved the bid of American Merchandising Service as the lowest and best for the purchase of de-icing agents, Item Nos. 1, 2(a), 3(a), and 3(b); and

Whereas, Item No. 2(b) was inadvertently omitted from the list of items on which American Merchandising Services was the lowest and best bidder; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 779-

96, adopted October 30, 1996, affirming and approving the bid of American Merchandising Services as the lowest and best for de-icing agents for the various Divisions of the Department of Port Control hereby is amended by adding item 2(b) to the list of items to be awarded.

Be it further resolved that all other terms in said Resolution No. 779-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 941-96.

By Director Guzman.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Rockport Construction & Materials, Inc. for the public improvement of The Rehabilitation of West 85th Street from Clark Avenue to Lake Avenue including replacement of existing 6" watermain with a new 8" watermain for the Division of Engineering and Construction, Department of Public Service, received on December 5, 1996, pursuant to the authority of Ordinance No. 946-95, passed June 12, 1995, upon a unit basis, for the improvement in the aggregate amount of Two Million One Hundred Sixty-Seven Thousand Seven Hundred Sixty-One 75/100 (\$2,167,761.75) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Service is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the employment of the following Subcontractor's of Rockport Construction & Materials, Inc. for the aforementioned public improvement is hereby approved:

SUBCONTRACTORS

Collinwood Shale Brick Co. 12400 Broadway Avenue Cleveland, Ohio 44125	10.47% FBE \$227,000.00
Cook Paving & Construction Co. 5545 Canal Road Cleveland, Ohio 44125	3.81% MBE \$82,688.00
Granger Trucking 8801 Granger Road Cleveland, Ohio 44125	10.34% MBE \$224,126.00
Vallejo Company 4429 State Road Cleveland, Ohio 44109	18.68% MBE \$405,014.00

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.

Nays: None.
Absent: None.

Resolution No. 942-96.

By Director Denihan.
 Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 522-95, passed by the Council of the City of Cleveland on May 15, 1995, T.K. Engineering & Design Group, Inc. is hereby selected upon the nomination of the Director of Public Safety from a list of qualified professionals available and determined after a full and complete canvass by the Director of Public Safety as the traffic engineers to be employed by contract for the purpose of supplementing the regularly employed staff of the City to provide traffic engineering consultant services to promote traffic efficiency, safety and emissions reduction at various locations in the City of Cleveland.

Be it further resolved that the Director of Public Safety hereby is authorized to enter into a written contract with T.K. Engineering & Design Group, Inc., based upon its proposal dated April 26, 1996, which contract shall be prepared by the Director of Law and shall include such additional provisions as said director deems necessary to benefit and protect the public interest. The fees for the services to be performed under the contract authorized hereby shall not exceed Two hundred thirty three thousand, eight hundred ninety two and no/100 (\$233,892.00)

Be it further resolved that the employment of the following subcontractors to T.K. Engineering & Design Group, Inc. is hereby approved:

Water Resources & Coastal Engineering (FBE 11%)

Premium Technical Services (MBE 33%)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director Lynch.
 Nays: None.
 Absent: None.

Resolution No. 943-96.

By Director Konicek.
 Be it resolved, by the Board of Control of the City of Cleveland that the bid of Utilicon Corporation for the public improvement of cleaning and cement mortar lining of trunk mains, area T-1, including a contingency allowance of \$155,972.50 for the Division of Water, Department of Public Utilities, received on December 11, 1996, pursuant to the authority of Ordinance No. 1613-96, passed December 16, 1996, upon a unit basis for the improvement in the aggregate amount of one million seven hundred fifteen thousand six hundred ninety-seven dollars and 50 cents (\$1,715,697.50), is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractors to Utilicon Corporation for the above-mentioned public improvement hereby are approved:

NAME	MBE/FBE
RMC Inc.	15% (MBE)
Dan Ray Construction Co.	15% (MBE)
Choice Construction	10% (FBE)

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Director Carmody, Acting Directors Majer, Waldron, Directors Guzman, Staib, Denihan, Acting Directors Silva, Resseger, Director Nolan, Acting Director Balraj, Director 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, JANUARY 13, 1997

9:30 A.M.

Calendar No. 96-228: 12800 Brookpark Rd., S.W.

Pinetree Associates Ltd., owner, and DIY Home Warehouse Inc., tenant, c/o Scott Eynon, to erect a 30' x 10' double-faced business identification sign on a double pole in front along the Brookpark Road frontage of the 575' x 700' irregular shaped acreage parcel located in a General Industry District and occupied by a 400' x 270' one story store building at 12800 Brookpark Rd.; said proposed sign to exceed the 100 square feet area maximum of Section 350.15 and said sign to be 43' in height contrary to the 25' maximum as limited by Section 350.15 of the Codified Ordinances.

Calendar No. 96-239: 7900 Grace Ave., S.W.

Rick's Trading Post, owner, c/o Richard Chambers, to use for used car sales and display and to erect approximately 130' of 6' high chain link fence to enclose the 70' x 65' vacant parcel located in a Two Family District at 7900 Grace Ave.; said use being contrary to the residence use limitations of Section 337.03 and a portion of said fence to be in excess of the 4 1/2' height limit as

regulated by Sections 357.06 and 357.13 of the Codified Ordinances.

Calendar No. 96-242: Appeal of Lucky Building Supply Co.

Lucky Building Supply Co. c/o Elizabeth Kinney, appeals, under authority of Section 76-6 of the Charter of the City of Cleveland from the refusal on October 11, 1996 by Linda Willis, Director, Office of Equal Opportunity, to certify Lucky Building Supply Co. as an FBE.

Calendar No. 96-244: 5206 Clark Ave., S.W.

Edgar V. Alvarez, owner, to use as a used car display and sales lot, erect a 10' x 20' one story frame sales office building, erect approximately 348' of 6' high chain link fencing and make other exterior modifications to the 52' x 122' corner lot located in a General Retail District on the northeast corner of W. 53 St. and Clark Ave. at 5206 Clark Ave.; said lot not having a minimum 60' width as required for used car sales lot by Section 347.11 and a portion of the 6' high fencing to be located within the 10' specific setback area along Clark Ave. contrary to the height and encroachment provisions of Sections 357.07 and 357.13 of the Codified Ordinances.

Calendar No. 96-246: 339 Bonniewood Dr., N.E.

Renaissance International Enterprises Inc., owner, c/o Michael Ujcich, to erect a 38' x 28' irregular "L" shaped one story frame private garage on the rear of the 40' x 90' lot located in a One Family District with a one and 1/2 story frame one family dwelling house on the front known as 339 Bonniewood Dr.; said private garage, 928 square feet in area, being in excess of the 650 square feet maximum limited by Section 337.23 and said garage to be located 6" from the north property line contrary to the 1' 6" requirement of Section 337.23 and said garage to occupy 59% of the required rear yard of said dwelling house contrary to the limitations of Section 337.23 of the Codified Ordinances.

ANTHONY COSTANZO,
 Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 30, 1996

At the Meeting of the Board of Zoning Appeals, on, Monday, December 23, 1996, the following appeals were heard by the Board, and decided on Monday, December 30, 1996.

The following appeals were **Granted:**

Calendar No. 96-206: 3475 Ridge Road, S.W.

Kenny Montoya dba Skating Place U.S.A. appealed, under authority of Section 76-6 of the Charter, from the refusal to issue a Music Permit for the roller skating rink.

Calendar No. 96-224: 2621 E. 122nd Street

Dorothy Graves, owner, to erect a 24' x 6" x 7' one story addition by enclosing the open porch.

Calendar No. 96-230: 4322 Clark Avenue, S.W.

Alex El-Kamhawy, owner, to install a pump island, pump island canopy, underground gasoline storage tanks and other exterior modifications for a service station.

The following appeal was **Refused**:

Calendar No. 96-223: 1965 E. 93rd Street
Cleveland Clinic Foundation, owner, and Rite Aid Corporation, tenant, c/o Scott Campbell, to erect various signs.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
December 18, 1996

As required by the provisions of Section 3103.20(2) of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action the subject meeting is given for publication in the City Record:

* * *

Docket A-206-96.

RE: Appeal of Melvin C. Lomax, Owner of the Residential Property located on the premises known as 827-29 East 149th Street from a LIMITATION ON THE PERMIT of the Commissioner of the Division of Building and Housing dated November 4, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant a six month (6 mos.) "Extension of Time" on the permit dated November 4, 1996 in which to complete abatement of the violations, and to REMAND the property at this time to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

* * *

Docket A-209-96.

RE: Appeal of Principal Residential Mortgage, Mortgagee of the Residential Property located on the premises known as 3413 East 108th Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 25, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by requiring that the property be boarded and secured within fourteen days (14 das.), and to grant the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and

secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 8, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-212-96.

RE: Appeal of Ohio Savings Bank, Mortgagee of the Residential Property located on the premises known as 11804-06 Browning Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated October 30, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 8, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-213-96.

RE: Appeal of Carol Drummond, Owner of the Residential Property located on the premises known as 4211 John Avenue from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE of the Commissioner of the Division of Building and Housing dated October 9, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the extent that the Appellant is permitted to take additional time as required to complete abatement of the violations, the property is REMANDED at this time to the Division of Building and Housing

for supervision and further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

Docket A-215-96.

RE: Appeal of Colander & Henry Walker, Ruby Holmes, Owners of the Property located on the premises known as 9114 St. Clair Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated October 24, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured until the hazardous violations have been abated. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at this time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by April 8, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Saunders.

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

* * *

Docket A-217-96.

RE: Appeal of S & B Industries, Owner of the Property located on the premises known as 2900 East 65th Street from a NOTICE OF VIOLATION - FIRE CODE of the Chief of the Division of Fire dated October 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action at this time; the Docket will be rescheduled for January 8, 1997.

* * *

Docket A-219-96.

RE: Appeal of BCGS, L.L.C., Mortgagee of the Residential Property located on the premises known as 3244 West 84th Street from a NOTICE OF VIOLATION - NUISANCE ABATEMENT of the Commissioner of the Division of Building and Housing dated October 25, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that time and to REMAND the property at

3244 West 84th Street to the Division of Building and Housing for supervision and further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

Docket A-225-96.

RE: Appeal of Jasmine & Christopher Hall, Owners of the Residential Property located on the premises known as 12502 Cornado Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated November 15, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant six months (6 mos.) in which to obtain permits and abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 8, 1997. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

* * *

Docket A-232-96.

RE: Appeal of J. Christopher Assoc. (Hampton Inn), Owner of the Property located on the premises known as 1460 East 9th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated December 11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the following variances:

OBBC SECTION 705.3:

To grant the variance and permit the openings to exist with the provision that the Appellant provide either fire shutters or one hour rated glass to be submitted to the City for approval.

OBBC SECTION 403.9:

To grant the variance and accept the two sources of power as equivalent to a generator, with the provision that the Appellant submit a letter from the Illuminating Company signed by an engineer indicating the reliability of the service similar to the December 16, 1996 letter. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Sullivan.

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

OTHER BOARD BUSINESS:

Docket A-173-96.

Phyllis Gerber - 2826 Franklin Boulevard:
No further action required at this time.

* * *

Docket A-185-96.

RE: Appeal of A. Arthur Bates, Owner of the Property located on the premises known as 587 East 152nd Street from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated September 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

APPROVAL OF RESOLUTIONS:

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

- A-195-96—Anita M. Spacek
- A-196-96—Willie Averyheart
- Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

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

- A-198-96—Michael Kadis.
- A-199-96—Stewart-Boiling Properties.
- A-200-96—Michael Kadis.
- A-201-96—Michael Kadis.
- Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

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

- A-202-96—Michael Kadis.
- A-203-96—Victory White Metal Co.
- Yeas: Messrs. Denk, Bowes, Williams, Saunders, Sullivan. Nays: None.

* * *

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

- A-221-96—The Euclid Chemical Company.
- A-224-96—Merrell Building Ltd.

A-228-96—Ohio Savings Management.

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

* * *

APPROVAL OF MINUTES:

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

December 11, 1996

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

ure 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, JANUARY 15, 1997

Labor and Materials to Repair One Motor at Kirtland Pump Station, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1301-96, passed by the Council of the City of Cleveland, August 14, 1996.

Labor and Materials to Repair One Motor at Fairmount Pump Station, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1299-96, passed by the Council of the City of Cleveland, August 14, 1996.

January 1 and January 8, 1997

FRIDAY, JANUARY 24, 1997

Boom Truck, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 2557-89, passed by the Council of the City of Cleveland, November 13, 1989.

Anti-Freeze, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1970-96, passed by the Council of the City of Cleveland, December 2, 1996.

Case Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1974-96, passed by the Council of the City of Cleveland, December 2, 1997.

January 1 and January 8, 1997

WEDNESDAY, JANUARY 29, 1997

Maintain and Repair Air Conditioning Systems, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 1600-96, passed by the Council of the City of Cleveland, October 28, 1996.

Bunker Suits and Additional Auxiliary Gear, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 1449-96, passed by the Council of the City of Cleveland, September 30, 1996.

Labor and Materials to Upgrade the Automated Energy Systems, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 819-96, passed by the Council of the City of Cleveland, June 10, 1996.

Labor and Materials to Upgrade the Electric Meter Equipment for Terminal Sites, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 875-96, passed by the Council of the City of Cleveland, June 10, 1996.

January 1 and January 8, 1997

THURSDAY, JANUARY 30, 1997

East 9th Street - Phase II, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance Nos. 1092-94 and 1466-94, passed by the Council of the City of Cleveland, June 13, 1994 and November 21, 1994, respectively.

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.

Wood Poles and Crossarms, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

Grounding Transformers, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

January 1 and January 8, 1997

FRIDAY, JANUARY 31, 1997

Labor and Materials to Modify Elevators to Comply with ADA Requirements, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 609-95, passed by the Council of the City of Cleveland, June 5, 1995.

A PRE-BID MEETING IS SCHEDULED FOR TUESDAY, JANUARY 21, 1997, 1:30 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO.

January 1 and January 8, 1997

ADOPTED RESOLUTIONS AND ORDINANCES

Ord. No. 1109-96. By Councilmen Paulenske and Rokakis.

An emergency ordinance to amend Sections 405.04 and 405.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to impound and storage fees.

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 following Codified Ordinances of Cleveland, Ohio, 1976:

Section 405.04, as amended by Ordinance No. 578-89, passed June 19, 1989.

Section 405.06, as amended by Ordinance No. 286-91, passed March 4, 1991, are hereby amended to read, respectively, as follows:

Section 405.04 Storage Fee at Vehicle Pound

Whenever any vehicle, except a bicycle, is stored in a vehicle pound for any reason, the person reclaiming the vehicle shall be charged a storage fee of eight (\$8.00) dollars for the first three days or fraction thereof, and thereafter shall be charged four dollars (\$4.00) for each day or fraction of a day. No fee for storage shall be charged when the vehicle is the property of the victim of a crime and said vehicle is being held by the Division of Police for processing.

Section 405.06 Impounding and Towing Fees

(a) In addition to the storage fee provided for in Section 405.06, the following fees shall be assessed against the owner or other person claiming an impounded vehicle:

(1) An impound fee of thirty dollars (\$30.00), except that the impound fee shall be reduced to ten dollars (\$10.00) for a person reclaiming a recovered stolen vehicle.

(2) A towing fee of sixty dollars (\$60.00), except that the towing fee shall be reduced to fifty dollars (\$50.00) for a person reclaiming a recovered stolen vehicle, and shall be increased to seventy dollars (\$70.00) for a person reclaiming a vehicle impounded incident to an arrest.

The towing charge shall be increased by ten dollars (\$10.00) if a dolly or flatbed are used or if a tire or tires are changed, except that there shall be no such additional charge in the case of a recovered stolen vehicle.

(b) No towing or impounding fees shall be charged when the vehicle is the property of the victim of a crime and such vehicle is being held by the Division of Police for processing.

Section 2. That the existing following Codified Ordinances of Cleveland, Ohio, 1976:

Section 405.04, as amended by Ordinance No. 578-89, passed June 19, 1989.

Section 405.06, as amended by Ordinance No. 286-91, passed March 4, 1991, are hereby repealed.

Section 3. The rates established by this ordinance shall be reviewed by this Council two years following the passage 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 December 16, 1996.

Effective December 26, 1996 without the signature of the Mayor.

REPRINT

Ord. No. 272-96. By Councilmen Patmon, Patton, White, Robinson, Johnson, Jackson, Britt, Lewis, Willis, Coats, Rybka, Melena and Polensek.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 667.05 relating to discrimination and to amend Section 667.99, as amended by Ordinance No. 1333-64, passed May 17, 1965, relating to the penalty therefor.

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

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

Section 1. That the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 667.05 thereof to read as follows:

Section 667.05 Unlawful Discrimination in Employment

(a) No person shall refuse to employ or to bar or to discharge from employment any person because of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status of such person.

(b) No person shall refuse to promote or grant any condition or privilege of employment because of race, religion, color, sex, sexual orientation, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status of such person.

(c) As used in this section, "person" means an individual, corporation, business trust, estate, trust,

partnership, labor organization and association.

(d) As used in this section, "labor organization" means any organization which exists and is constructed for the purpose, in whole or in part, of collective bargaining or of dealing with employers concerning grievances, terms and conditions of employment, or of other mutual aid or protection in connection with employment.

Section 2. That Section 667.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-64, passed May 17, 1965, is hereby amended to read as follows:

Section 667.99 Penalty

(a) Whoever violates any of the provisions of Section 667.05 shall be guilty of a misdemeanor of the first degree and shall be fined not less than one thousand dollars (\$1,000.00), or sentenced to not less than three (3) months imprisonment, or both. The minimum fine and imprisonment to be imposed by a court for a violation of Section 667.5 is mandatory and may not be suspended in whole or in part.

(b) Whoever violates any other provision of this chapter shall be fined not more than one thousand dollars (\$1,000.00) and imprisoned for not more than thirty days.

Section 3. That existing Section 667.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1333-64, passed May 17, 1965, is hereby repealed.

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

Passed December 16, 1996.
Effective December 24, 1996.

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

Index to Council Proceedings

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
Bold type in sections indicates amendments

Codified Ordinances

Amend Sections 405.04 and 405.06 — as amended by various ordinances — impound and storage fees (O 1109-96) **8**

Equal Opportunity Office

Authorizing the Director — Office of Equal Opportunity — increase employment utilization goals — for minorities and females on public works — construction projects (O 272-96)..... **8-R**

Fees

Amend Sections 405.04 and 405.06 — as amended by various ordinances — impound and storage fees (O 1109-96) **8**

Finance Department

Authorizing the Director — Office of Equal Opportunity — increase employment utilization goals — for minorities and females on public works — construction projects (O 272-96)..... **8-R**

Safety Department

Amend Sections 405.04 and 405.06 — as amended by various ordinances — impound and storage fees (O 1109-96) **8**

PPPP