

The City Record

Official Publication of the City of Cleveland

January the Twenty-Second, 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	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	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	Martin J. Sweeney	3632 West 133rd Street	44111
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 - Randall 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 Nobile, 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 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 Connolly	15C
Judge Mabel M. Jasper	14D
Judge Mary E. Kilbane	12B
Judge Kathleen A. Keough	12C
Judge Ralph J. Perk, Jr.	14B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	14C
Judge Gerald F. Sweeney	13D
Judge Robert S. Triozzi	12A

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

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WEDNESDAY, JANUARY 22, 1997

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CITY COUNCIL

MONDAY, JANUARY 20, 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, White.
9:30 A.M.—**Public Health Committee:** Robinson, Chairman; _____ 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:** _____, Chairman; Paulenske, Vice Chairman; Patmon, Rokakis, White, Willis.
10:00 A.M.—**Public Safety Committee:** Polensek, Chairman; Willis, Vice Chairman; Jackson, 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

January 15, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 15, 1997, at 11:00 a.m., with Acting Mayor Sobol Jordan presiding.

Present: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Directors Spellman, Acting Directors Resseger, Patterson, Director Warren, Acting Director Alexander.

Absent: Mayor White.

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

On motion, the following resolutions were adopted.

Resolution No. 27-97.

By Director Carmody.

Resolved by the Board of Control of the City of Cleveland that pursuant to Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of December, 1996 in the amount \$25,097.37, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors

Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 28-97.

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Coyne Textile Services for an estimated quantity of Rental and Laundry of Work Clothing (All Items) for the Various Divisions of City Government, Department of Finance, for the period of two (2) years beginning with the date of execution of a contract received on the 27th day of November, 1996, pursuant to the authority of Ordinance No. 638-96, passed May 13, 1996, which on the basis of the estimated quantity would amount to Seventy-Six Thousand One Hundred Nineteen and 68/100ths Dollars, (\$76,119.68), (1% 15 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 098317

which shall be certified against such contract in the sum of Eight Thousand and 00/100ths Dollars, (\$8,000.00).

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

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 29-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Harlan Electric Company for an estimated quantity of System Expansion, Substation Construction C-12, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for the period of two (2) years beginning with the date of execution of a contract received on the 16th day of November, 1996, pursuant to the authority

of Ordinance No. 1071-93, passed June 7, 1993, which on the basis of the estimated quantity would amount to Three Million Nine Hundred Eighty Nine Thousand Four Hundred Sixty Nine and 37/100 Dollars, (\$3,989,469.37), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into a requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 103433

which shall be certified against such contract in the sum of Five Hundred Thousand and no/100 Dollars, (\$500,000.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Harlan Electric Co. for the abovementioned requirement contract is hereby approved:

SUBCONTRACTORS	WORK
Leader Electric Cleveland, Ohio	Electric Materials 10% FBE
Advantage Electric Toledo, Ohio	Boring and Casing 4% MBE
Artisan Electric East Cleveland, Ohio	Wire and Conduit 12% MBE
Meroe Contracting Cleveland, Ohio	Below Grade Work 3% MBE
United Ready Mix Cleveland, Ohio	Concrete Mfg./ Supply .25% MBE

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 30-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Primary Flow Signal, Inc. for the following: one (1) venturi flow meter for the Division of Water, Department of Public Utilities, received on the 14th day of November, 1996, pursuant to the authority of Ordinance No. 1295-96, passed August 14, 1996, which on the basis of order quantities would amount to twenty-one thousand two hundred fifty Dollars, (\$21,250.00), (2% 10 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, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 31-97.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Delta Plumbing, Inc. dba Fox Construction Equipment Co. for the public improvement of Doan Brook Detention Basin Phase III for the Division of Water Pollution Control, Department of Public Utilities, received on December 19, 1996, pursuant to the authority of Ordinance No. 1942-92, passed December 14, 1992, upon a unit basis, for the improvement in the aggregate amount of Three hundred thirteen thousand eight hundred forty-seven and 60/100, (\$313,847.60) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby authorized to enter into contract for said improvement with said bidder.

Be it further resolved that the following subcontractor to Delta Plumbing, Inc. dba Fox Construction Equipment Co. for the above-mentioned public improvement is hereby approved:

SUBCONTRACTOR	WORK
Granger Trucking	Trucking MBE

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 32-97.

By Director Spellman.

Whereas, pursuant to the authority of Ordinance Nos. 1835-83, 1302-84, 2270-85 and 342-86, passed by the Council of the City of Cleveland on June 27, 1983, June 11, 1984, October 21, 1985 and February 10, 1986 respectively, and Resolution Nos. 892-95, 285-96 and 598-96, adopted by this Board on December 6, 1995, April 30, 1996 and September 4, 1996, respectively, the City, through its Director of Parks, Recreation and Properties entered into City Contract No. 49456 with The Osborn Engineering Company ("Engineer") to provide the professional services necessary to perform an engineering study of the structural distress of the parapet stone facade at the Convention Center and first and second modifications thereto; and

Whereas, the City has determined to expand the scope of work to include the professional services necessary for the demolition of five water cooling towers located on the roof above the Convention Center's Little Theater; and

Whereas, Engineer has proposed by its letters dated September 19,

1996, to perform the professional services necessary for this additional work; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Parks, Recreation and Properties is hereby authorized to enter into a third modification to City Contract No. 49456 with The Osborn Engineering Company on the basis of Engineer's letters dated September 19, 1996, to add the professional services necessary to include the demolition of five water cooling towers located on the roof above the Convention Center's Little Theater and increasing the fees for such services by Seventeen Thousand Five Hundred and No/100 Dollars (\$17,500.00), to One Hundred Sixty-Four Thousand Two Hundred Fifty and No/100 Dollars (\$164,250.00), reimbursable expenses will remain at Two Hundred Twelve Thousand and No/100 Dollars (\$212,000.00), for a total contract not to exceed Three Hundred Seventy-Six Thousand Two Hundred Fifty and No/100 Dollars (\$376,250.00).

Be it further resolved, that all other terms and provisions of City Contract No. 49456 not expressly modified herein shall remain unchanged and in full force and effect.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 33-97.

By Director Spellman.

Be it resolved by the Board of Control of the City of Cleveland that that the employment of the following subcontractor by Demco, Inc., contractor for the public improvement of the demolition of the Cleveland Municipal Lakefront Stadium for the Department of Parks, Recreation and Properties, under City Contract No. 50417 entered into pursuant to Board of Control Resolution No. 744-96, adopted October 18, 1996 is hereby approved:

SUBCONTRACTOR:	WORK:
Superior Demolition 4914 Pearl Road Cleveland, OH 44109	Bleacher section demolition

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 34-97.

By Director Spellman.

Whereas, pursuant to Ordinance No. 708-96, passed by the Council of the City of Cleveland on July 17, 1996, as amended by Ordinance No. 1751-96, passed December 16, 1996, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to convey an easement interest in certain City-owned property described in said ordinance and no longer needed for public use to the North-

east Ohio Regional Sewer District ("NEORS") at a price determined by this Board to be not less than the fair market value of the property; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Commissioner of Purchases and Supplies is directed to convey an easement interest in the property referred to in Ordinance No. 708-96, passed by the Council of the City of Cleveland on July 17, 1996, as amended by Ordinance No. 1751-96, passed December 16, 1996, to NEORS for the consideration of Seven Hundred Fifty Dollars (\$750.00), which amount is determined to be not less than the fair market value of the easement interest.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 35-97.

By Director Spellman.

Resolved by the Board of Control of the City of Cleveland that all bids received on November 15, 1996 for Tod Park Site Improvements for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, pursuant to the authority of Ordinance Nos. 1886-94 and 1294-96, passed by the Council of the City of Cleveland on October 3, 1994 and October 14, 1996, respectively be and the same are hereby rejected.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 36-97.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 106-20-086 and 106-20-087 under said Land Reutilization Program; and

Whereas, Ordinance No. 29-97 passed January 6, 1997 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Gary M. Willis has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 29-97 passed January 6, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Gary M. Willis for the sale and development of Permanent Parcel Nos. 106-20-086 and 106-20-087, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be

\$100.00 each, which amount is hereby determined to be not less than the Fair Market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 37-97.

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 119-03-073 under said Land Reutilization Program; and

Whereas, Ordinance No. 1789-96 passed December 2, 1996 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Lovell and Constance Whitaker have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1789-96 passed December 2, 1996 by the Cleveland City Council, the Mayor is hereby authorized and the Commissioner of Purchases and Supplies is hereby directed to execute an Official Deed for and on behalf of the City of Cleveland with Lovell and Constance Whitaker for the sale and development of Permanent Parcel No. 119-03-073 as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$500.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 38-97.

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. 116-09-042 located at 15210 Saranac Road, 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 Reuti-

lization Program parcels to adjacent or abutting landowners; and

Whereas, Marie B. Oblak, 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 Marie B. Oblak for the sale and development of Permanent Parcel No. 116-09-042 located at 15210 Saranac Road, 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: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.

Nays: None.
Absent: None.

Resolution No. 39-97.

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. 110-14-075 located at 12712 Edmonton Avenue in Ward 9; 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, Martha L. Smith, 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 9 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 Codi-

fied 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 Martha L. Smith for the sale and development of Permanent Parcel No. 110-14-075 located at 12712 Edmonton 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: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

Resolution No. 40-97.

By Director Carmody.

Whereas, by Ordinance No. 50-95, passed by the Cleveland City Council on February 13, 1995, and Board of Control Resolution No. 847-96, adopted November 27, 1996, the City of Cleveland is authorized to enter into a contract with Interstate Gas Supply, Inc. (Interstate) for the furnishing of natural gas for a one (1) year term commencing December 1, 1996 and terminating November 30, 1997 for the various divisions of City government; and

Whereas, the price to be charged to the City per thousand cubic feet (MCF) of natural gas is the commodity price per MCF of natural gas on the New York Mercantile Exchange (NYMEX) plus an incremental amount bid by Interstate; and

Whereas, the commodity price per MCF of natural gas on the NYMEX is currently higher than the price of natural gas being charged to the City by The East Ohio Gas Company (EOG) and will remain higher until approximately April 1, 1997, thus making it more costly for the City to purchase natural gas from Interstate until the latter date; and

Whereas, in the public interest, Interstate has requested the consent of the City to the assignment of the contract to EOG for the contract period from December 1, 1996 through March 31, 1997 or such earlier date as the Director of Finance determines will result in the most advantageous price to the City for natural gas; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the request of Interstate Gas Supply, Inc. for consent of the City to the assignment of the contract with Interstate to The East Ohio Gas Company for the period from December 1, 1996 through March 31, 1997 or such earlier date as the Director of Finance determines will result in the most advantageous price to the City for natural gas is hereby approved.

Be it further resolved that the Director of Finance is hereby authorized to complete and execute all documents necessary and appropriate to effect the consent to assignment hereby approved.

Yeas: Acting Mayor Sobol Jordan, Acting Director Marks, Directors Carmody, Konicek, Cunningham, Acting Director Ricchiuto, Director Staib, Acting Director Smith, Director Spellman, Acting Directors Resseger, Patterson, Director Warren and Acting Director Alexander.
Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

FREDDIE J. FENDERSON,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 3, 1997

9:30 A.M.

Calendar No. 96-247: 1133 W. 9 St. Bardons & Oliver Inc., owner, and 1033 West 9th Associates L.L.C., prospective purchaser, c/o Michael Gibbons, and Water Street Associates Ltd., tenant, c/o Robert Rains, to convert to 100 dwelling units the 90' x 265' 4 and 6 story masonry irregular shaped industrial building on a 112' x 265' irregular shaped parcel located in a C-Limited Retail District at 1133 W. 9 St.; the north sideyard of said proposed residential building being 2' instead of 48' in width as required by Section 357.09 and the rear yard being 0' instead of 48' in depth as required by Section 357.08 and the total floor area of said building being 103,494 square feet or 3.5 times the lot area, is 29,834 square feet instead of not more than 50% of the lot area as limited by Section 355.04 of the Codified Ordinances.

Calendar No. 97-2: 322-40 Euclid Ave. MRN Ltd., owner, c/o Richard Maron, to convert to a total of 50 dwelling units floors two through five and add a partial roof penthouse on to the 115' x 145' three and five story buildings on a 115' x 145'

irregular shaped corner lot located in an E-General Retail District on the southwest corner of Euclid Ave. and E. 4 St. at 322-40 Euclid Ave.; the residential gross floor area to be 65,866 square feet instead of the 25,286 square feet maximum permitted by Section 355.04 and the interior sideyards being 0' instead of 19' as required by Section 357.09 and the rear yard being 0' instead of the 30' depth required by Section 357.08 but subject to the provisions of Section 357.03 of the Codified Ordinances.

Calendar No. 97-4: 10613 Lorain Ave. George Fraam dba Kellers Jewelry appeals, under authority of Section 76-6 of the Charter of the City of Cleveland and Section 676.12, from the refusal to issue a Second Hand Dealer License for the premises at 10613 Lorain Ave. by John A. Hunt, Commissioner of Assessments and Licenses, upon recommendation of William Denihan, Director of Public Safety (Division of Police), under authority of Chapter 676 of the Codified Ordinances.

Calendar No. 97-5: 601 Erieside Ave., N.E.

Great Lakes Science Center, owner, c/o Pauline Fong, to use as a "dormitory" for as many as 300 people portions of the 160' x 460' four story museum building on a 580' x 670' irregular shaped parcel located in a General Industry District at 601 Erieside Ave.; said use for human habitation being contrary to the prohibitions of Section 345.04 of the Codified Ordinances.

ANTHONY COSTANZO,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 21, 1997

At the Meeting of the Board of Zoning Appeals, on, Monday, January 13, 1997, the following appeals were heard by the Board, and decided on Tuesday, January 21, 1997.

The following appeal was **Granted**:

Calendar No. 96-203: 10520 St. Clair Ave., N.E.

Morningstar Baptist Church et al, owners, and Brusoe Associates Inc., prospective purchaser, c/o Bruce J. Rakay, and Rite Aid Corp., prospective tenant, to erect an 86' 8" x 130' 8" one story masonry store building and accessory parking.

The following appeals were **Refused**:

Calendar No. 96-226: Appeal of Metropolis Industrial Gas and Chemical Company

Metropolis Industrial Gas and Chemical Co., appealed, under authority of Section 76-6 of the Charter of the City of Cleveland from the refusal to certify as Minority Business Enterprise.

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.

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

Edgar V. Alvarez, owner, to use as a used car display and sales lot, erect a one story frame sales office building and erect a 6' high chain link fence.

Calendar No. 96-246: 339 Bonniewood Drive 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.

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

Proposed Amendment to the EAST 79th - EAST 89th - EUCLID-CHESTER COMMUNITY DEVELOPMENT PLAN

Notice is hereby given in accordance with Chapter 319 of the Codified Ordinances of the City of Cleveland that the Cleveland City Planning Commission will hold a Public Hearing on Friday, February 7th, 1997 at 9:00 a.m. in Room 514 City Hall, 601 Lakeside Avenue, Cleveland, Ohio for the purpose of considering the approval of a proposed amendment to the East 79th-East 89th-Euclid-Chester Community Development Plan (the "Plan"). The Plan amendment proposes certain land acquisition and clearance activities for the eventual redevelopment of an Action Area designated herein. Further, the amendment to the Plan proposes general treatment measures to eliminate conditions of blight and deterioration found to exist in the Plan Area and prevent the recurrence of blight.

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Original 100 Acre Lot Number 399, the Plan Area is bounded and described as follows:

Beginning at the intersection of the centerline of East 79th Street and the centerline of Chester Avenue, N.E.; thence Easterly along said centerline of Chester Avenue, N.E., to its intersection with the centerline of East 89th Street; thence Southerly along said centerline of East 89th Street, to its intersection with the centerline of Euclid Avenue, thence Westerly along said centerline of Euclid Avenue to its intersection with the centerline of East 79th Street; thence Northerly along said centerline of East 79th Street to the place of beginning.

The proposed Action Area, referred to as Action Area 2 is generally bounded as follows:

Beginning on the Northerly line of Euclid Avenue (80 feet wide) at its intersection with the Easterly line of East 84th Street (50 feet wide); thence Easterly along the Northerly line of said Euclid Avenue to its intersection with the Westerly line of East 85th Street (44 feet wide); thence Northerly along the Westerly line of said East 85th Street to its intersection with the Westerly prolongation of the Northerly line of Sublot Number 2 in the Eighty-Fifth Street Realty Co.'s Subdivision as shown by the recorded plat in Volume 77, Page 20 of Cuyahoga County Map Records; thence Easterly along the Westerly prolongation and the Northerly line of Sublot Number 2 and the Northerly line of Sublot Number 1 and its Easterly prolongation in said subdivision to its intersection with the centerline of East 86th Street (40 feet wide) thence Northerly along the centerline of said East 86th Street to its intersection with the Westerly prolongation of the Northerly line of parcel of land owned by the Cleveland Clinic Foundation as shown by the Deed recorded in Volume 88-6827, Page 58 of Cuyahoga County Records; thence Easterly along the Westerly prolongation and the Northerly line of lands conveyed to the Cleveland Clinic Foundation as aforesaid to an interior corner; thence Northerly, Easterly, Northerly and Easterly along the irregular line of the aforesaid Cleveland Clinic Foundation lands to its intersection with the Westerly line of East 87th Street (50 feet wide); thence Northerly along the Westerly line of said East 87th Street to the Southerly line of Chester Avenue N.E. (proposed); thence Westerly along the irregular Southerly line of said Chester Avenue (proposed) to its intersection with the Easterly line of East 84th Street as aforesaid; thence Southerly along the said East 84th Street to the place of beginning.

The purpose of the hearing is to enable the City Planning Commission to publicly present the aforementioned elements of the proposed Plan amendment and solicit reaction to the proposed Plan amendments from any interested party. Documents that constitute the Plan, including support documents, are on file for public inspection during business hours (8:00 A.M. to 5:00 P.M., Monday through Friday) at the City Planning Commission office, Room 501 City Hall, 601 Lakeside Avenue, Cleveland, Ohio.

Any person or organization desiring to be heard at said public hearing, to present their views regarding the proposed amendment will be afforded an opportunity to be heard.

HUNTER MORRISON
Director

City Planning Commission

January 22 and January 29, 1997

CITY OF CLEVELAND BIDS

For All Departments

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

read in Room 128, City Hall, immediately thereafter.

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, JANUARY 30, 1997

Asbestos Abatement - Speedwalk Building, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 929-96, passed by the Council of the City of Cleveland, June 15, 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. A MANDATORY PRE-BID MEETING WILL BE HELD ON FRIDAY, JANUARY 24, 1997, 10:00 A.M. IN THE ENGINEERING CONFERENCE ROOM CORNER OF 5 POINTS AND CARGO ROAD.

Tod Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1886-94 and 1284-96, passed by the Council of the City of Cleveland, October 3, 1994 and October 24, 1996, respectively.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

January 15 and January 22, 1997

FRIDAY, JANUARY 31, 1997

Towing Sweepers, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1973-96, passed by the Council of the City of Cleveland, December 2, 1996.

January 15 and January 22, 1997

WEDNESDAY, FEBRUARY 5, 1997

Valves and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

January 15 and January 22, 1997

FRIDAY, FEBRUARY 14, 1997

Gradall Equipment Parts, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1928-96, passed by the Council of the City of Cleveland, December 16, 1996.

January 22 and January 29, 1997

FRIDAY, FEBRUARY 21, 1997

Various Vans, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96 and 1476-96, passed by the Council of the City of Cleveland, June 18, 1996 and August 14, 1996, respectively.

Various Pick-Up Trucks, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance Nos. 918-96 and 1476-96 and 1006-95, passed by the Council of the City of Cleveland, June 18, 1996, August 14, 1996 and June 19, 1995, respectively.

January 22 and January 29, 1997

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 59-97.**

By Councilman Polensek.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit to 15914 St. Clair Avenue, first floor and basement, and repealing Res. No. 2063-96, objecting to said transfer of ownership.

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to 15914 St. Clair Avenue, first floor and basement, by Res. No. 2063-96, 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 based upon and pursuant to a cooperation agreement signed December 23, 1996, a copy of which is in the file for this address in the City Law Department; and

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

fore,

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

Section 1. That objection to the transfer of ownership of a D5 and D6X Liquor Permit to 15914 St. Clair Avenue, first floor and basement, be and the same is hereby withdrawn and Res. No. 2063-96, 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 January 13, 1997.

Effective January 21, 1997.

Res. No. 60-97.

By Councilman Paulenske.

An emergency resolution withdrawing objection to the transfer of ownership of a D5 and D6 Liquor Permit to 5238 St. Clair Avenue, and repealing Res. No. 1645-96, objecting to said transfer of ownership.

Whereas, this Council objected to the transfer of ownership of a D5 and D6 Liquor Permit to 5238 St. Clair Avenue by Res. No. 1645-96, adopted September 9, 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 D5 and D6 Liquor Permit to 5238 St. Clair Avenue be and the same is hereby withdrawn and Res. No. 1645-96, 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 January 13, 1997.

Effective January 21, 1997.

Ord. No. 2035-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Public Utilities Commission of Ohio for the 1996-97 Hazardous Materials Training Program and authorizing the Director of Public Safety to enter into contracts for the purchase of equipment, supplies and services for 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 \$25,230.00, from the Public Utilities Commission of Ohio, to conduct the 1996-97 Hazardous Materials Training (HAZMAT) 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. 2035-96-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Public Safety is hereby authorized to enter into contracts in accordance with the requirements and procedures set forth in the Charter and the Codified Ordinances, for the purchase of equipment, supplies and services to implement the program, and that said contracts are 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 January 13, 1997.

Effective January 21, 1997.

Ord. No. 2037-96.

By Councilmen Polensek and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grants from the U.S. Department of Justice-Office of Community Oriented Policing Services and the State of Ohio for the COPS MORE: Phase II 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 \$437,684.00, from the U.S. Department of Justice-Office of Community Oriented Policing Services (COPS) and a grant in the amount of \$43,769.00 from the State of Ohio, to conduct the COPS MORE: Phase II Program, for the purposes set forth in the applications 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 grants; and that said funds be and they hereby are appropriated for the purposes set forth in the applications for said grants.

Section 2. That the applications for said grants, File No. 2037-96-A, made a part hereof as if fully rewritten herein, are hereby approved in all respects.

Section 3. That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

Passed January 13, 1997.
Effective January 21, 1997.

Ord. No. 2190-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to amend the agreement with the Board of County Commissioners of Cuyahoga County, to dedicate and sell 331 additional plots of ground in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses.

Whereas, pursuant to Ordinance No. 1912-94, passed December 14, 1994, Council authorized the Director of Parks, Recreation and Properties to enter into an agreement with the Board of County Commissioners of Cuyahoga County, Ohio (the "County Commissioners"), to dedicate plots of ground in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses; and

Whereas, on December 27, 1994, the Director of Parks, Recreation and Properties entered into such an agreement with the County Commissioners; and

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

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

Section 1. That the Director of Parks, Recreation and Properties is authorized and directed to amend the agreement with the County Commissioners to dedicate and sell three hundred and thirty-one (331) additional plots of ground in Highland Park Cemetery for the burial of Honorably Discharged Soldiers, Sailors, Marines and Nurses, at the same prices and fees as previously set forth in the agreement.

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 2193-96.
By Councilmen Johnson and Rokakis (by departmental request).
An emergency ordinance authorizing and directing competitive bidding for the purchase by contract of insurance necessary for the construction of a new stadium facility, for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties.

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

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

Section 1. That, notwithstanding

and as an exception to any ordinance to the contrary, the Director of Parks, Recreation and Properties is hereby authorized and directed to make one or more written contracts competitively bid in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for insurance, with such types of coverages and in such amounts as determined by the Director of Parks, Recreation and Properties, as needed for the construction of a new stadium facility, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Convention Center and Stadium, Department of Parks, Recreation and Properties. The specifications for these services shall require that the successful bidder conform to the MBE and FBE requirements applicable to professional services contracts for the Stadium project. The selection of the successful bidder(s) for the contract or contracts of insurance will be made by this Council and will require further legislative action.

Section 2. That the cost of said contract or contracts hereby authorized shall be paid from Fund Nos. 20 SF 100, 20 SF 101, 20 SF 102, 20 SF 103, 20 SF 104 and 20 SF 105.

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 January 13, 1997.
Awaiting the approval or disapproval of the Mayor.

Ord. No. 2196-96.
By Councilmen Miller, Jackson and Rokakis (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Actron Manufacturing Company, or its designee, to provide economic development assistance to partially finance the acquisition of approximately eleven acres of property in the Cleveland Business Park, Cleveland, Ohio 44114.

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

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

Section 1. That the Director of Economic Development is hereby authorized to enter into a contract with the Actron Manufacturing Company, or its designee, to provide economic development assistance to partially finance the acquisition of approximately eleven (11) acres of property in the Cleveland Business Park, Cleveland, Ohio.

Section 2. That the terms of said loan shall be in accordance with the terms set forth in the Executive Summary contained in File No. 2196-96-A.

Section 3. That the costs of said contract shall not exceed Three Hundred Fifty Thousand Dollars (\$350,000.00), and shall be paid from Fund No. 17 SF 008, Request No. 22278.

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

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

Section 5. That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 17 SF 006.

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

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

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

Passed January 13, 1997.
Effective January 21, 1997.

Ord. No. 2205-96.
By Councilman Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of building materials in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

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

by the Director of Finance. (RL 21517)

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 2206-96.
By Councilman Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of lamps in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21520)

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 2207-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance authorizing and directing the purchase by requirement contract of paper and

cloth wipers, for the various divisions of City government, for a period not to exceed two years.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of paper and cloth wipers in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21518)

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 2208-96.
By Councilman Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of dry cell batteries in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government.

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21516)

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 2209-96.
By Councilman Rokakis (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of hand tools and hand held power tools in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

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

by the Director of Finance. (RL 21519)

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 2210-96.
By Councilman Rokakis (by departmental request).

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

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of reproduction and mounting service in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases

and Supplies until provision is made for the requirements for the entire two years.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 22980)

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 2211-96.
By Councilman Rokakis (by departmental request).

An emergency ordinance to amend Section 32 of Ordinance No. 486-96, passed April 1, 1996, relating to compensation for various classifications.

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

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

Section 1. That Section 32 of Ordinance No. 486-96, passed April 1, 1996, is hereby amended to read as follows: Section 32. That the appointing authority shall fix salaries in the following classifications at not less than \$23,647.11 and not more than \$49,876.72 per annum:

1. Accountant Supervisor
2. Assistant Chief of Water Distribution
3. Assistant Commissioner, Division of Printing and Reproduction
4. Assistant Commissioner of Engineering and Construction
5. Building Manager
6. Chief Architect
7. Chief Auditor - Utilities
8. Chief City Planner
9. Chief, Computer Operations
10. Chief Engineer - Civil
11. Chief Engineer - Mechanical
12. Chief Legal Investigator - Civil Branch
13. Chief of Street Lighting and Electrical Services
14. Chief of Laboratories
15. Chief of Purification
16. Chief Surveyor
17. Convention Manager
18. Financial Systems Coordinator
19. Fiscal Manager
20. Investment Manager
21. Manager of Enterprise Units
22. Manager of Events
23. Manager of General Maintenance
24. Manager of Markets
25. Manager of Parking
26. Manager of Production Power Generation
27. Purchasing Supervisor-Division of Purchases and Supplies
28. Manager of Recreation
29. Secretary, Board of Zoning Appeals
30. Secretary to the Board of Building Standards and Building Appeals
31. Security Manager - Convention Center
32. Senior Internal Auditor
33. Senior Programmer Analyst
34. Supervisor - Information Control
35. Supervisor of Food and Drug Administration
36. Theatrical Manager
37. Water Plant Manager

Section 2. That existing Section 32 of Ordinance No. 486-96, passed April 1, 1996, is hereby repealed.

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

Passed January 13, 1997.
Effective January 21, 1997.

**Ord. No. 2212-96,
By Councilman Rokakis (by
departmental request).**

An emergency ordinance to amend Section 149.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, relating to report and payment of fees due jurors and witnesses.

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

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

Section 1. That Section 149.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, is hereby amended to read as follows:

Section 149.07 Report and Payment of Fees Due Jurors and Witnesses

The Clerk of the criminal branch of the Municipal Court shall certify to the Director of Finance, under the seal of such Court, the amount of fees due jurors and witnesses in City cases, and the Director shall thereupon draw his warrant in favor of such jurors or witnesses for the amounts due on the City Treasurer, and said City Treasurer or said Clerk, shall pay the same on presentation. The Director shall report monthly the amount so paid to Council.

Section 2. That existing Section 149.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, is hereby repealed.

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

Passed January 13, 1997.
Effective January 21, 1997.

**Ord. No. 2213-96,
By Councilman Rokakis (by
departmental request).**

An emergency ordinance authorizing and directing the Director of Finance to employ one or more consultants to provide professional services necessary to maintain and support the hardware, software, firmware and application software for the MITIS computer system; and authorizing and directing the purchase by requirement contract of component necessary to operate the MITIS computer system.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to employ by contract one or more consultants for the purpose of supplementing the regularly employed staff of the City in order to provide professional services necessary to maintain and support hardware, software, firmware and application software for the MITIS computer system. The services contemplated hereby shall include, but not be limited to, programming, net-

working, data base support and application support. The selection of said consultant or consultants shall be made by the Board of Control upon the nomination of the Director of Finance from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling such a list, which list shall be compiled to permit the award of a single contract or the award of separate contracts for the various services, or any combination as the Board of Control shall determine. The services shall be fixed by the Board of Control. The contract or contracts herein authorized shall be prepared by the Director of Law and shall be for a one-year term with two one-year options to renew.

Section 2. That the services authorized herein shall be paid from Fund No. 01-81-001-0320, Request No. 21205.

Section 3. That the Director of Finance is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements of two years for the necessary items of computer hardware, software, firmware and application software for the MITIS computer system, in the estimated sum of \$100,000.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Taxation, Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision of made for the requirements for the entire term.

Section 4. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21205)

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 January 13, 1997.
Effective January 21, 1997.

**Ord. No. 2214-96,
By Councilman Rokakis (by
departmental request).**

An emergency ordinance authorizing and directing the Director of Finance to enter into contract with Blue Cross Blue Shield of Ohio to provide Super Blue Plus medical coverage for City employees.

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

fore,

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

Section 1. That, notwithstanding any Codified Ordinance of Cleveland, Ohio, 1976, to the contrary, the Director of Finance is hereby authorized and directed to enter into a contract with Blue Cross Blue Shield of Ohio to provide Super Blue Plus group medical insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1996, on the basis of its proposal dated January 26, 1996.

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 January 13, 1997.
Effective January 21, 1997.

**Ord. No. 18-97,
By Councilmen Jackson and
Rokakis (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to enter into an Enterprise Zone Agreement with the Young Mens Christian Association of Cleveland, Ohio, or its designee, to provide for an eight year abatement for certain real estate taxes as an incentive to rehabilitate the Central YMCA Branch and residential tower at East 22nd and Prospect Avenue in the Cleveland Area Enterprise Zone.

Whereas, pursuant to Ordinance No. 948-95, passed June 19, 1995, this Council designated an area which is in the City of Cleveland and described in File No. 948-95-A, as the Cleveland Area Enterprise Zone (the "Zone") pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, in August, 1995, the Director of Development of the State of Ohio determined that the Zone contains the characteristics set forth in Section 5709.61(A) of the Revised Code and certified said area as an "Urban Jobs and Enterprise Zone" pursuant to Chapter 5709 of the Revised Code; and

Whereas, the Young Mens Christian Association of Cleveland, Ohio, or its designee (the "Enterprise") has proposed to rehabilitate the Central YMCA Branch and residential tower at East 22nd and Prospect Avenue; and

Whereas, the Enterprise has certified to the City that, but for abatement of real estate taxes the Enterprise would be at a competitive disadvantage by operating at this location; and

Whereas, this ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety, property, and welfare and for the further reason that its enactment is a necessary prerequisite to providing immediate assistance to create and preserve job opportunities and advance and promote commercial and economic development in the City of Cleveland, such assistance being immediately necessary or such jobs will be lost; now, therefore,

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

Section 1. That this Council hereby approves the application of the

Young Mens Christian Association of Cleveland, Ohio, or its designee(s), for enterprise zone incentives on the basis that the Young Mens Christian Association of Cleveland, Ohio is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

Section 2. That the Director of Community Development is authorized to enter into an Enterprise Zone Agreement with the Young Mens Christian Association of Cleveland, Ohio, or its designee(s), to provide for an eight (8) year abatement for certain real estate taxes as an incentive to rehabilitate the Central YMCA Branch and residential tower at East 22nd and Prospect Avenue in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

Section 3. That the terms of said tax abatement shall be in accordance with the term as set forth in the Executive Summary contained in File No. 18-97-A.

Section 4. That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

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 January 13, 1997.
Effective January 21, 1997.

Ord. No. 57-97.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1709-11 East 82 Street and 1715 East 82 Street to Sophia D. Moncrieffe.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 106-23-023 and 106-23-024, as more fully described in Section 2 below, to Sophia D. Moncrieffe.

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

P.P. No. 106-23-023

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 4 in W.E. and Cornelia F. Pedrick's Re-Subdivision of part of Eliza Hough and others' Subdivision of part of Original One Hundred Acre Lot Nos. 391 and 392, as shown by the recorded plat of said Re-Subdivision in Volume 5 of Maps, Page 19 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 82nd Street, (formerly Genesee Avenue), at a point 200 feet Northerly from its intersection with the Northerly line of Hough Avenue, N.E. (formerly Hough Avenue); thence Easterly parallel to the Northerly line of Hough Avenue, N.E., 103 feet to the Easterly line of said Sublot No. 4; thence Southerly along the Easterly line of said Sublot No. 4, 38 feet; thence Westerly parallel to the Northerly line of Hough Avenue, N.E., 103 feet to the Easterly line of East 82nd Street; thence Northerly along the Easterly line of East 82nd Street, 38 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

P. P. No. 106-23-024

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 4 in Pedrick's Subdivision of part of Original One Hundred Acre Lots Nos. 391 and 392, as shown by the recorded plat in Volume 5 of Maps, Page 19 of Cuyahoga County Records, and bounded and described as follows: Beginning on the Easterly line of 82nd Street (formerly Genesee Avenue) at a point distant 124 feet Northerly, measured along said Easterly line, from the Northerly line of Hough Avenue, N.E.; thence Northerly along the Easterly line of East 82nd Street, 38 feet; thence Easterly parallel with the Northerly line of Hough Avenue, N.E., 103 feet to the Easterly line of said Sublot No. 4; thence Southerly along the Easterly line of said Sublot No. 4, 38 feet; thence Westerly parallel with the Northerly line of Hough Avenue, N.E., 103 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

Section 5. That the conveyance

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

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

Passed January 13, 1997.

Effective January 21, 1997.

Ord. No. 58-97.

By Councilmen Westbrook, O'Malley and Polensek.

An emergency ordinance to amend Section 181.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-92, passed March 16, 1992, relating to the compliance with fair employment practice in Northern Ireland.

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

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

Section 1. That Section 181.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-92, passed March 16, 1992, is hereby amended to read as follows:

Section 181.36 Compliance with Fair Employment Practice in Northern Ireland

(a) All contractors and any subcontractors having more than a fifty percent (50%) interest in a contract, prior to any contract being awarded by the City, shall disclose on a form to be prescribed by the Commissioner of Purchases and Supplies, if said contractor or subcontractor or any controlling shareholder, subsidiary, or parent corporation of said contractor or subcontractor is engaged in any business or trading for profit in Northern Ireland. As used in division (a) of this section, "controlling shareholder" means any shareholder owning more than fifty percent (50%) of the stock in the corporation or more than twenty-five percent (25%) of the stock in the corporation if no other shareholder owns a larger share of the stock in the corporation.

(b) Any contractor or subcontractor making the disclosure prescribed in division (a) of this section shall stipulate to the Commissioner of Purchases and Supplies, that the said contractor or subcontractor, and all enterprises included in the disclosure are taking lawful and good faith steps to engage in fair employment practices which are relevant to the standards embodied in the "MacBride Principles for Fair Employment in Northern Ireland." Any contractor or subcontractor required to make the stipulation pursuant to this division (b) shall have supplied such information concerning their operations in Northern Ireland to Investor Responsibility Research Center, Inc. ("IRRC"), an independent research agency, as is necessary for the IRRC to evaluate their compliance with fair employ-

ment practices in Northern Ireland. The Commissioner of Purchases and Supplies shall consider the information supplied to the IRRC in determining whether a contractor or subcontractor has accurately supplied the stipulation prescribed in this division (b).

(c) Any contractor or subcontractor failing to make the disclosure prescribed in division (a) of this section, or failing to accurately make the stipulation prescribed in division (b) of this section, or failing to supply the information to the IRRC prescribed in division (b) of this section, shall not be eligible to provide any goods or services whatsoever for use by the City, in return for payments, fees, or commissions from City funds.

(d) Any contractor or subcontractor which is awarded a contract to supply goods or services whatsoever for use by the City, in return for payments, fees, or commissions with City funds, and which is subsequently deemed to have failed to make the disclosure prescribed by division (a) of this section, falsely made the stipulation prescribed by division (b) of this section or falsely supplied information to the IRRC as prescribed in division (b) of this section shall be declared to have acted in default of its contract and be subject to the remedies for default contained in the contract.

(e) Any contractor or subcontractor which has failed to cure any default of its contract which has been declared in accordance with division (d) of this section shall be automatically excluded without reserve, from tendering or bidding

for the supply of any goods or services whatsoever for use by the City, for a period of two (2) calendar years.

(f) Any contractor or subcontractor which enters into contract with the City to supply any goods or services whatsoever, having made the stipulation prescribed in division (b) of this section, and which fails, or refuses to comply with said stipulation, shall be deemed to have acted in breach of contract and shall be deemed to have acted in default of its contract and shall be subject to the provisions of divisions (d) and (e) of this section.

(g) The Commissioner of Purchases and Supplies shall provide a list of the persons, firms or corporations who have (1) refused to make the disclosure called for in division (a) of this section; and/or (2) those that have made a stipulation pursuant to division (b) of this section; and/or (3) those who are in default of their contract under this section to the Clerk of City Council by April 1st of each year. Said list shall be made available for public inspection.

(h) This section shall, by way of limitation, apply to all contracts let by the Commissioner of Purchases and Supplies or that lawfully should be let by the Commissioner of Purchases and Supplies, except any contract entered into pursuant to the emergency procurement procedure set forth in Section 181.12 of the Codified Ordinances or any contract to a contractor or subcontractor where there is no other contractor or subcontractor who will contract to supply goods or services at comparable quality at a comparable price. The

Director of Finance shall report to the Council any contract entered into pursuant to the exception specified in this division (h).

(i) The Commissioner of Purchases and Supplies shall not enforce the provisions of this section prior to March 16, 1992.

Section 2. That existing Section 181.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 595-92, passed March 16, 1992, is hereby repealed.

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

Passed January 13, 1997.

Awaiting the approval or disapproval of the Mayor.

COUNCIL COMMITTEE MEETINGS

Wednesday, January 22, 1997

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

City Planning Committee (Zoning): 1:30 P.M. — Present: Rybka, Chrm.; Britt, Vice Chrm.; O'Malley, Paulenske, White, Zone. Excused: Rokakis.

Index to Council Proceedings

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

City Planning Commission

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