

# The City Record

Official Publication of the City of Cleveland

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April the Tenth, Nineteen Hundred and Ninety-Six

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

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# DIRECTORY OF CITY OFFICIALS

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

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

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

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

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

**DEPT. OF FINANCE - Kathryn Burrer Hyer, Director, Room 104; Carlean Alford, Manager, Internal Audit**  
DIVISIONS - Accounts - A. Schneider, Commissioner, Room 19  
City Treasury - Mary Christine Jackman, Treasurer, Room 122  
Assessments and Licenses - John Hunt, Commissioner, Room 122  
Purchases and Supplies - William A. Moon, Commissioner, Convention Center, Clubroom B  
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, Acting Controller, Room 18  
Information Systems Services - Martin Carmody, Acting Commissioner, 1404 E. 9th St.

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

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

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

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

**DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, 1825 Lakeside Avenue.**  
DIVISIONS - Police - John J. Collins, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street  
Fire - William E. Lee, Chief, 1645 Superior Avenue  
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.  
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service - Bruce Shade, Commissioner, 2001 Payne Ave.

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

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

**DEPT. OF COMMUNITY DEVELOPMENT - Terri Hamilton, Director, 3rd Floor, City Hall.**  
DIVISIONS - Administrative Services - Terrence Ross, Commissioner.  
Neighborhood Services - Festus Cassels, Commissioner.  
Neighborhood Development - Terri Hamilton, Commissioner.  
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

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

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

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

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

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

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

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

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS - Room 516, J. F. Denk, Chairman; J. Bowes, S. K. Birch, Alternate Members - D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan. Exec. Sec'y.**

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

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

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

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

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

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

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

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

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

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

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

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

# The City Record



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WEDNESDAY, APRIL 10, 1996

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## CITY COUNCIL

MONDAY, APRIL 8, 1996

### The City Record

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### ARTHA WOODS

Clerk of Council  
216 City Hall

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

#### MONDAY—Alternating

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

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

The following Committee is subject to Call of the Chairman:

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NONE

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

April 3, 1996

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 3, 1996, at 10:30 a.m., with Mayor White presiding.

Present: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Absent: None.

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

On motion, the following resolutions were adopted.

#### Resolution No. 214-96.

By Mayor White.

Be it resolved, by the Board of Control of the City of Cleveland that By-Law No. 1 of the Board of Control is hereby amended to read as follows:

"1. Regular sessions of the Board of Control shall be in the Mayor's Office on Wednesday of each week at eleven o'clock a.m. Whenever the regular meeting falls on a legal holiday or a special, primary or election day, the meeting shall be held on the day following such holiday or election day.

Yeas: Mayor White, Acting Direc-

tors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

#### Resolution No. 215-96.

By Director Hyer.

Be it resolved, by the Board of Control of the City of Cleveland that Board of Control Resolution No. 126-96, adopted by the Board on March 6, 1996, approving the bid of Shaker Paper Company as the lowest and best for paper stock envelopes on Items 17, 20, 22, 28, 29, 51 and 169, is amended by changing base requisition #79786 to #86557.

Be it further resolved that all other provisions of said Resolution No. 126-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

#### Resolution No. 216-96.

By Director Hyer.

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 February, 1996 in the amount of \$58,837.83, hereto attached and made a part hereof, is hereby received, approved and ordered filed.

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

#### Resolution No. 217-96.

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that Resolution No. 292-92, adopted on March 25, 1992, and Resolution No. 842-95, adopted November 15, 1995, relating to the operation of the Division of Water Pollution Control, Department of Public Utilities, for sewerage service, hereby are rescinded.

Be it further resolved that in accordance with Section 112 of the Charter of the City of Cleveland, subject to the approval of City Council, the charges of the Division of

Water Pollution Control, Department of Public Utilities, for sewerage service within Cleveland are hereby fixed as follows:

**Sewerage Service Charges within Cleveland.**

(a) **Regular beginning January 1, 1996, through December 31, 1996.** The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of five dollars and three cents (\$.03) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of five dollars and three cents (\$.03) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less of water metered per quarter.

(b) **Regular beginning January 1, 1997, through December 31, 1997.** The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of five dollars and thirty-six cents (\$.36) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of five dollars and thirty-six cents (\$.36) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(c) **Regular beginning January 1, 1998, through December 31, 1998.** The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of five dollars and seventy-one cents (\$.71) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of five dollars and seventy-one cents (\$.71) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(d) **Regular beginning January 1, 1999, through December 31, 1999.** The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of six dollars and nine cents (\$.09) for each one thousand (1,000) cubic feet measured by meter in excess of

the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of six dollars and nine cents (\$.09) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(e) **Regular beginning January 1, 2000.** The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of six dollars and forty-nine cents (\$.49) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of six dollars and forty-nine cents (\$.49) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(f) **Special Homestead beginning January 1, 1995.** A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of four dollars and one cent (\$.01) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is furnished by the City. A minimum charge of four dollars and one cent (\$.01) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less of water metered per quarter.

(g) In addition to those homesteads eligible for the special homestead rates prescribed by division (f) of this section, homesteads owned by a person sixty-five (65) years of age or older or permanently and totally disabled whose total annual income does not exceed Nineteen Thousand Five Hundred Dollars (\$19,500.00) may be eligible for the special homestead rate established pursuant to division (f) of this section.

(h) The Director of Public Utilities shall prescribe the application form for the homestead rates set forth in division (f) of this section and shall have final approval on all applications.

(i) The sewerage service charges within the City shall be increased to meet the funding requirements of the Ohio Water Development Authority.

(j) Nothing contained in this section shall be held to authorize or require the payment of any sewer rental charge by any tax-supported department of the City.

(k) Nothing contained herein shall be construed to authorize the retroactive application of any rates fixed hereby.

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Koniczek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

**Resolution No. 218-96.**

By Director Koniczek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Acticarb, A Division of Royal Oak Ent., Inc., for an estimated quantity of powdered activated carbon (Item 1) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 6th day of March, 1996, pursuant to the authority of Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976, which on the basis of the estimated quantity would amount to Twenty-Five Thousand Five Hundred Thirty-Five and 20/100 Dollars, (\$25,535.20), (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. 78474

which shall be certified against such contract in the sum of Twenty-Five Thousand Five Hundred Thirty-Five and 20/100 Dollars, (\$25,535.20).

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Koniczek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

**Resolution No. 219-96.**

By Director Koniczek.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Calgon Carbon Corporation for an estimated quantity of powdered activated carbon (Item 2) for the Division of Water, Department of Public Utilities, for the period of one (1) year beginning with the date of execution of a contract received on the 6th day of March, 1996, pursuant to the authority of Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976, which on the basis of the estimated quantity would amount to Forty-Three Thousand Forty Dollars, (\$43,040.00), (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. 78473**

which shall be certified against such contract in the sum of Forty-Three Thousand Forty Dollars, (\$43,040.00).

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

**Resolution No. 220-96.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on March 20, 1996 for Rehabilitation of Crown Water Works Expansion Phase III for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance No. 965-93, passed by the Council of the City of Cleveland on July 14, 1993, be and the same are hereby rejected.

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

**Resolution No. 221-96.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Gibson Stewart Company for an estimated quantity of Hi-way spreader and insert parts (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 8th day of March, 1996, pursuant to the authority of Ordinance No. 1750-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately Fifteen Thousand and no/100 Dollars, (\$15,000.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 70673**

which shall be certified against such contract in the sum of Two Thousand and no/100 Dollars, (\$2,000.00).

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent: None.

**Resolution No. 222-96.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valley Ford Truck Sales, Incorporated, for an estimated quantity of Ford Truck Parts and Labor (All Items) (Price List No. FPS-3642 dated January 1, 1996) (Dealer cost plus (+) 10% Ford parts)(Labor rate of \$52.00 per hour) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the 8th day of March, 1996, pursuant to the authority of Ordinance No. 1746-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately One Hundred Thousand and no/100 Dollars, (\$100,000.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 70674**

which shall be certified against such contract in the sum of Fourteen Thousand and no/100 Dollars, (\$14,000.00).

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

**Resolution No. 223-96.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Euclid Transmission, Inc., for an estimated quantity of Rebuilt Transmissions (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on the February 16, 1996, pursuant to the authority of Ordinance No. 1747-95, passed November 27, 1995, which on the basis of the estimated quantity would amount to approximately One Hundred Twenty-Three Thousand Seven Hundred Three and 55/100 Dollars, (\$123,703.55), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 70596**

which shall be certified against such contract in the sum of Fifteen Thousand and no/100 Dollars, (\$15,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such goods

and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Be it further resolved by the Board of Control of the City of Cleveland that the following subcontractor to Euclid Transmission, Inc., for the purchase of Rebuilt Transmissions (All Items), hereby is approved:

Logical Services  
\$24,686.71  
MBE 20%

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

**Resolution No. 224-96.**

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Hamilton Farms for an estimated quantity of Horse Supplies (All Items), for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on the 9th day of February, 1996, pursuant to the authority of Ordinance No. 1444-96, which was passed by City Council on November 20, 1995, which on the basis of the estimated quantity would amount to Twenty-Six Thousand, Six Hundred Ten and no/100 Dollars, (\$26,610.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

**Requisition No. 75089**

10 tons of Sweet Feed (Grain), Item #3, as specified.

which shall be certified against such contract in the sum of Two Thousand and no/100 Dollars, (\$2,000.00).

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

**Resolution No. 225-96.**

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Miami Systems Corp. for an estimated quantity of Various Tickets (All Items), for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on the 24th day of January, 1996, pursuant to the authority of Ordinance No. 1441-96, which was passed by City Council on November 20, 1995, which on the basis of the estimated quantity

would amount to Seventeen Thousand, Six Hundred Twenty and no/100 Dollars, (\$17,620.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 75090  
80,000 Uniform Traffic Tickets (UTT) per specifications, which shall be certified against such contract in the sum of Fourteen Thousand Three Hundred Ninety-Seven and 60/100 Dollars, (\$14,397.60).

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 226-96.**

By Director Denihan.

Resolved, by the Board of Control of the City of Cleveland that the bid of Laube Photo for an estimated quantity of Photographic Supplies Group I, Items 1 thru 8 inclusive and Group II, Items 9 thru 20 inclusive, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract received on the 11th day of January, 1996, pursuant to the authority of Ordinance No. 1445-96, which was passed by City Council on November 20, 1995, which on the basis of the estimated quantity would amount to One Hundred Nine Thousand, Nine Hundred Forty-One and no/100 Dollars, (\$109,941.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 75063  
5 cases of Item #7 - Polaroid type 600 Film, as specified  
900 rolls of Item #9 - Kodak Gold 400 135-12 Color Film, as specified  
10 rolls of Item #20 - Kodak Vericolor III Type VPS 473 70 x 100 mm, as specified  
which shall be certified against such contract in the sum of Five Thousand Six Hundred Sixty-Five and no/100 Dollars, (\$5,665.00).

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

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

Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 227-96.**

By Director Spellman.

Resolved, by the Board of Control of the City of Cleveland that the bid of J. F. Good Company for an estimated quantity of plumbing and heating supplies (All Items) (Discount off list price 38%) for the Division of Property Management, Department of Parks, Recreation and Properties, for the period of three (3) years commencing May 21, 1996 received on the 14th day of February, 1996, pursuant to the authority of Ordinance No. 1239-95, passed November 20, 1995, which on the basis of the estimated quantity would amount to One Hundred Ninety-Five Thousand and 00/100ths Dollars, (\$195,000.00), (1% - 10th 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 83358  
which shall be certified against such contract in the sum of Twelve Thousand and 00/100ths Dollars, (\$12,000.00).

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 228-96.**

By Director Hamilton.

Whereas, Resolution No. 211-96, adopted by this Board on March 27, 1996, to implement the transfer of title to certain real property located at Franklin and Mable Court to the Cleveland Restoration Society requires amendment in order to fully authorize said transfer in accordance with Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance No. 1162-95, passed June 19, 1995; now, therefore,  
Be it resolved by the Board of Control of the City of Cleveland that paragraphs five and six of Resolution No. 211-96 are hereby amended to read as follows:

Be it resolved by the Board of Control of the City of Cleveland that, pursuant to authorization of Ordinance No. 1035-95, passed June 5, 1995, as amended by Ordinance No. 1162-95, passed June 19, 1995 by Cleveland City Council, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property no longer needed for public use, described therein and located at Franklin and Mable Court, to the Cleveland Restoration Society for the restoration and renovation of the historic structure

located thereon; the consideration to be paid for said property is fixed at one dollar (\$1.00), with all other costs to be paid by grantee.

Be it further resolved that the Mayor, the Director of Community Development, and the Commissioner of Purchases and Supplies are hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property.

Be it further resolved that all other provisions of said Resolution No. 211-96 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 229-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 106-20-014 under said Land Reutilization Program; and

Whereas, Ordinance No. 2027-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, John L. and Naomi Cash 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. 2027-95 passed February 12, 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 John L. and Naomi Cash for the sale and development of Permanent Parcel No. 106-20-014 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 \$1.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 230-96.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 007-24-008 located at 3105 Barber Ct. in Ward 14; 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, Dena Czupih, 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 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby authorized to execute an Official Deed for and on behalf of the City of Cleveland with Dena Czupih for the sale and development of Permanent Parcel No. 007-24-008 located at 3105 Barber Ct., in accordance with the Land Reutilization Program in such manner as best carries out the intent of said Program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

#### **Resolution No. 231-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 106-21-030 under said Land Reutilization Program; and

Whereas, Ordinance No. 2039-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Dorothy L. Marlow has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2039-95 passed February 12, 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 Dorothy L. Marlow to transfer and sell Permanent Parcel No. 106-21-030, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such

manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays:None.

Absent:None.

#### **Resolution No. 232-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 107-09-172 under said Land Reutilization Program; and

Whereas, Ordinance No. 2033-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Henry and Lucy Banks 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. 2033-95 passed February 12, 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 Henry and Lucy Banks to transfer and sell Permanent Parcel No. 107-09-172, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

#### **Resolution No. 233-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 132-25-096 under said Land Reutilization Program; and

Whereas, Ordinance No. 2116-95 passed December 18, 1995 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Walter F. and Kay F. Blewitt 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. 2116-95 passed December 18, 1995 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 Walter F. and Kay F. Blewitt to transfer and sell Permanent Parcel No. 132-25-096, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

#### **Resolution No. 234-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel Nos. 125-17-048 and 125-17-051 under said Land Reutilization Program; and

Whereas, Ordinance No. 2102-95 passed February 12, 1996 authorized the sale of said parcels subject to the direction of the Board of Control; and

Whereas, Jo Ann and Casell Moore have 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. 2102-95 passed February 12, 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 Jo Ann and Casell Moore to transfer and sell Permanent Parcel Nos. 125-17-051 and 125-17-051, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.

Absent:None.

#### **Resolution No. 235-96.**

By Director Hamilton.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with

the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel No. 107-02-084 under said Land Reutilization Program; and

Whereas, Ordinance No. 2044-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Philip J. Shepherd has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2044-95 passed February 12, 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 Philip J. Shepherd to transfer and sell Permanent Parcel No. 107-02-084, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent:None.

**Resolution No. 236-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 118-24-103 under said Land Reutilization Program; and

Whereas, Ordinance No. 2103-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Gloria O. Turner has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2103-95 passed February 12, 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 Gloria O. Turner to transfer and sell Permanent Parcel No. 118-24-103, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Kon-

icek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent:None.

**Resolution No. 237-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 118-33-094 under said Land Reutilization Program; and

Whereas, Ordinance No. 2105-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Bessie A. McNair has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2105-95 passed February 12, 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 Bessie A. McNair to transfer and sell Permanent Parcel No. 118-33-094, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent:None.

**Resolution No. 238-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 104-23-022 under said Land Reutilization Program; and

Whereas, Ordinance No. 2031-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Milorad and Milica Jovanovic 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. 2031-95 passed February 12, 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 Milorad and Milica Jovanovic to transfer and sell Permanent Parcel No. 104-23-022, as fur-

ther described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent:None.

**Resolution No. 239-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 104-19-081 under said Land Reutilization Program; and

Whereas, Ordinance No. 2038-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, James and Louise Brown 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. 2038-95 passed February 12, 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 James and Louise Brown to transfer and sell Permanent Parcel No. 104-19-081, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent:None.

**Resolution No. 240-96.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 119-04-063 under said Land Reutilization Program; and

Whereas, Ordinance No. 2032-95 passed February 12, 1996 authorized the sale of said parcel subject to the direction of the Board of Control; and

Whereas, Mary L. Wiseman has proposed to the City to purchase and



develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 2032-95 passed February 12, 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 Mary L. Wiseman to transfer and sell Permanent Parcel No. 119-04-063, as further described in said Ordinance, for development in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$440.00, which amount is hereby determined to be not less than the Fair Market value of said parcel for uses in accordance with the Land Reutilization Program.

Yeas: Mayor White, Acting Directors Terry, Carmody, Directors Konicek, Cunningham, Guzman, Staib, Acting Director Holland, Directors Spellman, Hamilton, Nolan, Warren, Axelrod.

Nays: None.  
Absent: None.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

FREDDIE J. FENDERSON,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, APRIL 22, 1996**

**9:30 A.M.**

Calendar No. 96-31: 12830 Triskett Rd., S.W.

Diane McCurdy, owner, to install a 12' x 32' framed advertising sign to the west wall, a 6' x 40' painted advertising sign to the west wall

and a 4' x 30' painted advertising sign to the north wall of the 50' x 150' one story masonry commercial building located on an 85' x 182' lot located in a Semi-Industry District at 12830 Triskett Road; said billboard locations being contrary to the freeway distance requirements of Section 350.10 of the Codified Ordinances.

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

Earnest Investment Co., owner, c/o Fred Kappus, appeals, under authority of Section 329.02, from the Notice of Violation, dated February 8, 1996, issued by the Division of Building & Housing and relating to a purported violation of Section 350.04 of the Codified Ordinances.

Calendar No. 96-40: 1338 W. 58 St.

John Strobl, owner, to convert to a suite for a total of 3 suites the forming first floor storeroom in the 23' x 40' two story frame nonconforming store and two suites building on a 40' x 108' lot located in a B-Two Family district at 1338 W. 58 St.; said use for 3 suites being contrary to the two family use limitations of Section 337.03 and said lot not being 7200 square feet in area as required for three suites by Section 355.04 and the north sideyard being 3' wide contrary to the 8' width requirement of Section 357.09 and said proposed use being subject to the substitution provisions of Section 359.01 of the Codified Ordinances.

Calendar No. 96-41: 6815 Lansing Ave., S.E.

Margaret H. Mueller, owner, to convert to 4 dwelling units the 21' x 47' two story frame two dwelling unit building on a 40' x 128' lot located in a B-Multi-Family District at 6815 Lansing Ave.; there being insufficient off-street parking on the premises contrary to car-per-suite requirement of Sections 349.03 and 349.04 and the east sideyard being 4' instead of 8' wide as required by Section 357.09 of the Codified Ordinances.

Calendar No. 96-42: 4291 E. 167 St.

Charles Hempstead, owner, to erect a frame 12' x 32' and 26' x 40' carport attached to the east side and a 7' x 87' one story enclosed porch to the north and west sides and a 16' x 22' storage addition to the south side of the 40' x 28' two story frame one family dwelling house with attached garage on a 110' x 82' (average) irregular shaped corner lot located in a One Family District on the southeast corner of E. 167 St. and Dynes Ave. at 4291 E. 167 St.; said additions to reduce the aggregate sideyards to less than 10' contrary to Section 357.09 and said porch to be contrary to the encroachment provisions of Section 357.13 of the Codified Ordinances.

ANTHONY COSTANZO,  
Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, APRIL 8, 1996**

At the Meeting of the Board of Zoning Appeals, on, Monday, April 8, 1996, the following appeals were

**Postponed:**

Calendar No. 96-33: 1732 Catalpa Rd. N.E. to May 6, 1996

Calendar No. 96-34: 3001 Bridge Ave. N.W. to April 22, 1996

No appeals heard on April 1, 1996 were decided by the Board.

ANTHONY COSTANZO,  
Secretary

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

Re: Report of the Meeting of April 3, 1996

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

\* \* \*

**Docket A-26-96.**

RE: Appeal of Federal Reserve Bank of Cleveland, Owner of the Property located on the premises known as 1455 East 6th Street from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated January 12, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

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

**Section 817.4:**

To grant the variance to the minimum headroom clearance, noting that it is a 1" variance on an exit stair that goes up the stairs, and to permit the 6' 7" clearance to be considered in compliance.

**Section 813.4.1.2:**

To grant the variance, noting that the locking system presents no safety hazards as designed and is primarily for bank employees in a building with smoke and sprinkler protection presenting no safety hazard so that the design as presented.

**OBBC Section 1016.7.4:**

To grant the variance to permit a presignal to be permitted by the pulling of a manual pullstation for security reasons presenting no safety hazard. Motion so in order. Motioned by Mr. Birch and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-32-96.**

RE: Appeal of Angie D. Weary, Owner of the Residential Property located on the premises known as 1218 East 80th Street (FRONT) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated January 29, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTEN-

TION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to abate the violations on the property, or show sufficient progress to allow more time in which to complete abatement of the violations, and to request a report from the inspector in three months (3 mos.), the property is to remain boarded and secured during that period of time whenever it is not being worked on; and that the property may be occupied with the approval of the Building Department. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at this time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by July 17, 1996. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-33-96.**

RE: Appeal of Angie D. Weary, Owner of the Residential Property located on the premises known as 1218 East 80th Street (REAR) from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated January 29, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to modify the Commissioner's CONDEMNATION NOTICE and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and six months (6 mos.) in which to abate the violations, the property is to remain boarded and secured and the grounds debris free during that period of time. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at this time for supervision and further action. All other provisions of the CONDEMNATION NOTICE and LETTER OF INTENT TO DEMOLISH not modified by this decision shall remain in full force and effect, including the provisions that the City may abate the nuisance conditions of the premises by means of demolition if abatement of the violations is not completed by October 17, 1996. Motion so in order. Motioned by Mr. Birch and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-34-96.**

RE: Appeal of The Cleveland Clinic Foundation, Owner of the Property located on the premises known as 9505 Prince Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated February 7, 1996, requiring compliance with the Codified Ordinances of the City of

Cleveland, and the Ohio Basic Building Code (OBBC).

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

**OBBC Section 1606.6:**

To grant the variance requiring earthquake design data to permit the building to be constructed as presently designed on wind control design rather than earthquake design, noting the review of the Board's Structural Engineer, but to require additional column ties near the floors at the discretion of the design engineer, and to require that the bridge be designed to current earthquake design standards, noting the length of spans. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

**OBBC Section 1014.6.1:**

To grant the variance and allow the stairs to be open risers in the center of the space as indicated on the drawings, noting the additional safety requirements incorporated into the building and the additional exits available.

**OBBC Section 3106.0:**

To require a two hour construction around the perimeter of the connecting corridor, noting that the structure is otherwise adequately fire and safety protected. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Sullivan.

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

\* \* \*

**Docket A-36-96.**

RE: Appeal of Darrell Huddleston, Owner of the Residential Property and Proposed Swimming Pool located on the premises known as 8015 Vineyard Avenue from a NOTICE OF NONCONFORMANCE of the Commissioner of the Division of Building and Housing dated March 11, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the pool to be installed within two feet (2 ft.) of the adjacent property line, noting the letter of concurrence from the adjacent neighbor and noting the fences for the pool and at the property line. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-42-96.**

RE: Appeal of Isabella Basile/Pani, Inc., Owner of the Property located on the premises known as 1078 Old River Road from an NOTICE OF VIOLATION - UNSAFE BUILDING of the Commissioner of the Division of Building and Housing dated March 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-42-96 has been POSTPONED; to be rescheduled for April 17, 1996.

**Docket A-43-96.**

RE: Appeal of Isabella Basile/Jellyrolls, Inc., Owner of the Property located on the premises known as 1078 Old River Road from an NOTICE OF VIOLATION - UNSAFE BUILDING of the Commissioner of the Division of Building and Housing dated March 13, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-43-96 has been POSTPONED; to be rescheduled for April 17, 1996.

\* \* \*

**Docket A-45-96.**

RE: Appeal of City of Cleveland/Luke Easter Recreational Center, Owner of the Property located on the premises known as 3155 Martin Luther King Jr. Drive from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated March 10, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-45-96 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-51-96.**

RE: Appeal of Ev. Lutheran Cemetery Association, Owner of the Property located on the premises known as 4574 Pearl Road from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated March 26, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance from the property line setbacks, noting the concurrence of the adjacent property owner, but with the provision that should the current or future adjacent property owner wish to build at or near the property line, that compliance with the Codified Ordinances of the City of Cleveland for these building is the obligation of this building owner. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Bowes.

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

\* \* \*

**Docket A-52-96.**

RE: Appeal of Isabella Basile, Owner of the Property located on the premises known as 1064 & 1078 Old River Road from an ADJUDICATION ORDER of the Commissioner of the Division of Building and Housing dated March 29, 1996, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, Than having reviewed the facts in this case and the options available and the problems caused by the proposed solution by the Appellant, a motion is in order at this time to DENY the request for variance for access for exit accessing through the adjacent properties. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Birch.

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

**APPROVAL OF RESOLUTIONS:**

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

L-1-96—Daniel J. Wiedt  
A-9-96—National Terminal Apts. Ltd. Liability Co.  
Yeas: Messrs. Denk, Birch, Williams, Sullivan. Nays: None. Not Voting: Mr. Bowes.

\* \* \*

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

A-13-96—Walter Robinson  
A-30-96—The Leader Mortgage Company  
A-31-96—Primo Properties, Inc.  
A-38-96—AWT Properties, Inc.  
Yeas: Messrs. Denk, Birch, Williams, Sullivan. Nays: None. Not Voting: Mr. Bowes

\* \* \*

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

A-41-96—Ronald Burrell  
Yeas: Messrs. Denk, Birch, Williams, Sullivan. Nays: None. Not Voting: Mr. Bowes

\* \* \*

**AMENDED RESOLUTION FROM MARCH 20, 1996:**

Separate motions were entered by Mr. Denk and seconded by Mr. Birch for Approval and Adoption of the Amended Resolution as presented by the Secretary for the following Docket subject to the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC):

**Docket A-44-96—City of Cleveland/Precision Electric, Inc. - 601 Lakeside Avenue:**

**FROM: . . . REMAND** the property at 601 Lakeside Avenue to the Division of Building and Housing, with the understanding that the Appellant will permit inspection of one pole with the intention that the single inspection will allow approval of the entire uninspected installation . . .

**TO: . . . REMAND** the property at 601 Lakeside Avenue to the Division of Building and Housing, with the understanding that the Appellant will permit inspection of one pole with the intention that the single inspection will

allow approval of the entire uninspected installation or as an alternative, to drill the bases to allow inspection of the wire and conduit below the base to assure safety of the installation. Motion so in order. Motioned by Mr. Birch and seconded by Mr. Sullivan.

Yeas: Messrs. Denk, Birch, Williams, Sullivan. Nays: None. Not Voting: Mr. Bowes

\* \* \*

**APPROVAL OF MINUTES:**

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

March 20, 1996

Yeas: Messrs. Denk, Birch, Williams, Sullivan. Nays: None. Not Voting: Mr. Bowes

\* \* \*

JOSEPH F. DENK,  
CHAIRMAN

**PUBLIC NOTICE**

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

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

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

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

**Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Clubroom B, Convention Center, in accordance with the appended schedule, and will be opened and read in Clubroom B, Convention Center, 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, MAY 2, 1996**

**Installation of One Emergency**

**Back-Up Generator**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 46-95, passed by the Council of the City of Cleveland, June 5, 1995. A FIFTY DOLLAR (\$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 PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 16, 1996 AT 10:00 A.M. AT THE FIRE ALARM OFFICE, 310 CARNEGIE AVENUE — EAST DOOR.

**Repair of Overhead Doors**, for the

Division of Fire, Department of Public Safety, as authorized by Ordinance No. 37-96, passed by the Council of the City of Cleveland, February 12, 1996.

**Maintenance for a Mainframe Computer System**, for the Division of

Information Systems Services, Department of Finance, as authorized by Ordinance No. 158-96, passed by the Council of the City of Cleveland, March 4, 1996.

**FRIDAY, MAY 3, 1996**

**One (1) 24" Ball Valve and Accessories**, 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.

**Four (4), 4-Wheel Drive Chassis with Full Length Cabs**, for the

Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1228-95, passed by the Council of the City of Cleveland, January 29, 1996.

**One (1) Customized Recreational Vehicle**, for the Division of Motor

Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1231-95, passed by the Council of the City of Cleveland, October 23, 1995.

April 3 and April 10, 1996

**FRIDAY, APRIL 26, 1996**

**Gasoline**, for the Division of Motor Vehicle Maintenance, Department of Public Service.

April 10 and April 17, 1996

## WEDNESDAY, MAY 8, 1996

**De-Icer**, for the Division of Parks Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2123-94, passed by the Council of the City of Cleveland, February 6, 1995.

**Various Pool Chemicals**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 29-96, passed by the Council of the City of Cleveland, February 12, 1996.

**Uniformed Security Guards**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 30-96, passed by the Council of the City of Cleveland, February 12, 1996.

April 10 and April 17, 1996

## THURSDAY, MAY 9, 1996

**Fire Hydrants and Fire Hydrants Parts**, 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.

**Computer Hardware and Software Maintenance for CIJIS**, for the Department of Finance on behalf of the Cleveland Municipal Court, as authorized by Ordinance No. 1095-95, passed by the Council of the City of Cleveland.

April 10 and April 17, 1996

## FRIDAY, MAY 10, 1996

**Command Rank Uniforms**, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 30, 1996 AT 10:00 A.M. AT THE POLICE ACADEMY, POLICE HEADQUARTERS BUILDING, 1300 ONTARIO - 7TH FLOOR.

**Police Bicycle Uniforms**, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 30, 1996 AT 10:00 A.M. AT THE POLICE ACADEMY, POLICE HEADQUARTERS BUILDING, 1300 ONTARIO - 7TH FLOOR.

**Police Uniforms**, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of the City of Cleveland, 1976.

A PRE-BID MEETING WILL BE HELD ON TUESDAY, APRIL 30, 1996 AT 10:00 A.M. AT THE POLICE ACADEMY, POLICE HEADQUARTERS BUILDING, 1300 ONTARIO - 7TH FLOOR.

April 10 and April 17, 1996

## ADOPTED RESOLUTIONS AND ORDINANCES

## Res. No. 2049-95.

By Councilman Brady and Rokakis (by departmental request).  
An emergency resolution to provide for the issuance and sale of waterworks improvement and refunding first mortgage revenue bonds, Series H, 1996, of the City in an aggregate principal amount not to exceed \$175,000,000 with respect to bonds for new improvements and in an aggregate principal amount not to exceed \$100,000,000 with respect to refunding bonds (except, in each case, in the event that any series h bonds are to be offered at an original issue discount); to award the series h bonds to original purchasers thereof; to prescribe the form and content and authorize the execution and delivery of a bond purchase agreement; to authorize a certificate of award fixing the principal amount, date, interest rates, maturities, redemption provisions and other terms, provisions and details of the Series H Bonds subject to the restrictions set forth in the Series H Bond legislation; to determine certain other matters required to be determined herein by the series h bond legislation; and declaring an emergency.

Whereas, pursuant to Article XVIII of the Constitution of the State of Ohio and the Charter of the City of Cleveland, this Council has heretofore duly passed an ordinance (the "Series H Bond Legislation") authorizing the issuance by the City (the "Issuer") of Waterworks Improvement and Refunding First Mortgage Revenue Bonds, Series H, 1996 (the "Series H Bonds") in an aggregate principal amount not to exceed \$175,000,000 with respect to Bonds for new improvements, and in an aggregate principal amount not to exceed \$100,000,000 with respect to Refunding Bonds (except, in each case, in the event that any Series H Bonds are to be offered at an original issue discount), and further authorizing a Seventh Supplemental Indenture of Mortgage (the "Seventh Supplemental Mortgage") to secure the Series H Bonds on a parity with the Issuer's Waterworks Improvement First Mortgage Revenue Bonds, Series A, 1977, its Waterworks Improvement First Mortgage Revenue Bonds, Series C, 1985, its Waterworks Improvement First Mortgage Refunding Revenue Bonds, Series D, 1986, its Waterworks Improvement First Mortgage Revenue Bonds, Series E, 1987, its Waterworks Improvement First Mortgage Revenue Bonds, Series F, 1992, and its Waterworks Improvement First Mortgage Refunding Revenue Bonds, Series G, 1993 that are Outstanding under the Mortgage, as defined in the Series H Bond Legislation, and to further amend and supplement the Indenture of Mortgage, dated as of November 1, 1977 (the "Original Mortgage"), between the Issuer and National City Bank, Cleveland, Ohio, as Trustee (the "Trustee"), as amended and supplemented; and

Whereas, the Series H Bond Legislation, in Section 3 thereof, provides that the Series H Bonds shall be sold pursuant to and in the manner set forth in the Series H Resolution of Award, which shall award the Series H Bonds to the Original Purchasers, approve and authorize

the execution and delivery of the Bond Purchase Agreement, designate the Paying Agent for the Series H Bonds, and determine, specify and set forth the aggregate principal amount, the Purchase Price, the Specified Interest Rates, and certain other details with respect to the Series H Bonds in accordance with and subject to the limitations set forth in the Series H Bond Legislation; and

Whereas, this Resolution, together with the Certificate of Award hereby authorized, constitutes the Series H Resolution of Award as defined in the Series H Bond Legislation;

Whereas, this Series H Resolution constitutes an emergency measure, providing for the immediate preservation of the public property, health and safety, and for the further reason that this Series H Resolution is required to be immediately effective to permit the issuance and sale of the Series H Bonds which is necessary to enable the Issuer to enter into contracts for the improvement of, and to obtain debt service savings for the benefit of, its Waterworks System and thereby provide for the usual daily operation of a municipal department; now, therefore,

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

**Section 1. Definitions.** All words and terms defined in the Series H Bond Legislation, whether so defined therein directly or by reference to the Original Mortgage as amended and supplemented, shall have the same meanings herein.

**Section 2. Award of Series H Bonds.** The Series H Bonds are hereby awarded to the Original Purchasers on terms to be set forth in the Bond Purchase Agreement in accordance with the Mortgage, the Series H Bond Legislation and the Series H Resolution of Award.

**Section 3. Certificate of Award.** The Mayor, the Director of Finance and the Director of Public Utilities are, and each of them is, hereby authorized and directed to negotiate the sale of the Series H Bonds to the Original Purchasers upon terms consistent with the Series H Bond Legislation and the Series H Resolution of Award. Any two of those officers are hereby further authorized and directed to execute and deliver to the Original Purchasers the Certificate of Award, which shall designate and further evidence the award of the Series H Bonds to the Original Purchasers, and to determine, specify and set forth therein the following details with respect to the Series H Bonds in accordance with and subject to the limitations set forth in the Series H Bond Legislation:

- (a) the aggregate principal amount of the Series H Bonds;
- (b) the date or dates of the Series H Bonds;
- (c) the Purchase Price;
- (d) whether any Series H Bonds are subject to optional redemption prior to maturity and the Earliest Optional Redemption Date for any such Series H Bonds;
- (e) the Redemption Prices;
- (f) the Principal Retirement Dates;
- (g) the Term Maturity Dates;
- (h) the Mandatory Redemption Dates;
- (i) the Principal Retirement Schedule, including the amount of

any Sinking Fund Installment to be paid on any Mandatory Redemption Date;

- (j) the Specified Interest Rates;
- (k) the Paying Agent;
- (l) the Redemption Date; and
- (m) the Refunded Bonds, if any.

It is hereby determined that the Purchase Price, the Specified Interest Rates and the other terms and details of the Series H Bonds as so determined within the limitations set forth in the Series H Bond Legislation and as so specified and set forth in the Certificate of Award will be in the best interests of the Issuer and consistent with all legal requirements.

**Section 4. Bond Purchase Agreement.** The Mayor, the Director of Finance and the Director of Public Utilities, or any two of them, are hereby authorized and directed, in the name and on behalf of the Issuer, to execute and deliver the Bond Purchase Agreement, approved as to form and correctness by the Director of Law, which Bond Purchase Agreement shall incorporate the terms of the Series H Bonds as determined pursuant to the Series H Bond Legislation and the Series H Resolution of Award and shall set forth the date, location, procedure and conditions for the delivery of the Series H Bonds, including, without limitation any conditions relating to the obtaining of any insurance policy to enhance the security of the Series H Bonds, the obtaining of which insurance the officers executing the Bond Purchase Agreement on behalf of the Issuer determine serves the best interest of the Issuer by achieving a net reduction in the aggregate Debt Service that will be payable on the aggregate of the Series H Bonds from the Debt Service that would be payable thereon were no such insurance obtained. The Bond Purchase Agreement shall be substantially in the form now on file with the Clerk in File No. \_\_\_\_\_-95-\_\_\_\_\_ with such changes therein or thereto not inconsistent with the Mortgage, the Series H Bond Legislation or the Series H Resolution of Award and not substantially adverse to the Issuer as may be approved by the officers executing the same on behalf of the Issuer. The approval of any such changes by such officers and the determination by such officers that no such change is substantially adverse to the Issuer shall be conclusively evidenced by the execution of the Bond Purchase Agreement by such officers. The Mayor, the Director of Finance, the Director of Public Utilities and the Director of Law are hereby further authorized and directed to take all steps necessary to effect the due authentication, delivery and security of the Series H Bonds in accordance with the terms of the Mortgage, the Series H Bond Legislation, the Series H Resolution of Award and the Bond Purchase Agreement.

**Section 5. Official Statement.** The Director of Finance and the Director of Public Utilities are each hereby authorized and directed to cooperate in the preparation of and (with respect only to the final Official Statement) to execute, on behalf of the Issuer and in their official capacities, a Preliminary Official Statement and a final Official Statement, as described in the Bond Purchase Agreement, to serve as disclosure documents in connection with the public offering and sale of the Series H Bonds. The

officers are authorized to use and distribute, or to authorize the use and distribution of, the Preliminary Official Statement and the final Official Statement and any supplements thereto in connection with the original issuance of the Series H Bonds. The Mayor, the Director of Finance, the Director of Public Utilities and the Director of Law are hereby further authorized to execute and deliver, on behalf of the Issuer and in their official capacities, acting alone or together, such certificates with respect to the accuracy of the Preliminary Official Statement and the final Official Statement and any supplements thereto as may be required under the Bond Purchase Agreement or as may, in their judgment, be necessary or appropriate.

**Section 6. Open Meeting Determination.** It is found and determined that all formal actions of this Governing Body concerning or relating to the adoption of this Series H Resolution were adopted in an open meeting of this Governing Body, and that all deliberations of this Governing Body, and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**Section 7. Findings and Recitals of Validity.** The Issuer hereby determines, represents and recites that all acts, conditions and things necessary to be done precedent to and in the issuance of the Series H Bonds in order to make such bonds legal, valid and binding obligations of the Issuer have or will have happened or have or will have been done and performed in regular and due form as required by law and the Issuer's Charter; and that no limitation of indebtedness or taxation, either statutory or constitutional, is applicable to the Series H Bonds or their issuance. It is further found and determined, and is hereby represented and recited, that the provisions of the Issuer's Charter and the rules of this Governing Body have been fully complied with and that this Series H Resolution was adopted in conformity therewith.

**Section 8. Severability.** In case any section or provision of this Series H Resolution or in case any covenant, stipulation, obligation, agreement, act, or action, or part thereof, made, assumed, entered into, or taken under this Series H Resolution, or any application thereof, is for any reason held to be illegal or invalid, or is at any time inoperative by reason of any law (State or federal), or actions thereunder, such illegality or inoperability shall not affect the remainder thereof or any other section or provision of this Series H Resolution, or any other covenant, stipulation, obligation, agreement, act, or action, or part thereof, and the balance of this Series H Resolution shall be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent from time to time permitted by law.

**Section 9. Effective Date.** This Series H Resolution is declared to be an emergency measure for the reasons set forth in the preambles of this Series H Resolution, which are made a part hereof, and, provided that this Series H Resolution receives the affirmative vote of two-thirds of all members elected to this Governing Body, 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 date allowed by law.

Adopted April 1, 1996.  
Effective April 10, 1996.

**Res. No. 568-96.**

**By Councilman Britt,  
An emergency resolution objecting to the issuance of a C1 Liquor Permit to 2780 East 116th Street and gas pumps.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 Liquor Permit to Permit No. 7991266-4537, Service Station Holding, Inc., dba BP Site #4536, 2780 East 116th Street and gas pumps, Cleveland, Ohio 44120; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 Liquor Permit to Permit No. 7991266-4537, Service Station Holding, Inc., dba BP Site #4536, 2780 East 116th Street and gas pumps, Cleveland, Ohio 44120, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Adopted April 1, 1996.  
Effective April 10, 1996.

**Res. No. 569-96.**

**By Councilman Britt.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit to 8209 Cedar Avenue, first floor, and repealing Res. No. 1039-95, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 8209 Cedar Avenue, first floor, by Res. No. 1039-95, adopted June 5, 1995; 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 C2 and C2X Liquor Permit to 8209 Cedar Avenue, first floor, be and the same is hereby withdrawn and Res. No. 1039-95, 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 April 1, 1996.  
Effective April 10, 1996.

**Res. No. 570-96.**

**By Councilman Coats.**

**An emergency resolution withdrawing objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue, and repealing Res. No. 1774-95, objecting to said stock transfer.**

Whereas, this Council objected to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue by Res. No. 1774-95, adopted October 9, 1995; and

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

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

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

**Section 1.** That objection to the stock transfer of a D1, D2, D3 and D3A Liquor Permit to 18029 Euclid Avenue be and the same is hereby withdrawn and Res. No. 1774-95, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate stock transfer thereof.

**Section 2.** That this resolution is

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

Adopted April 1, 1996.  
Effective April 10, 1996.

**Res. No. 571-96.**

**By Councilman Johnson.**

**An emergency resolution objecting to the transfer of ownership and location of a C2 and C2X Liquor Permit to 3111 East 93rd Street.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 9116464, 2700 Carroll Avenue, Inc., dba Mike's Discount Foods #4, 2700 Carroll Avenue, Cleveland, Ohio 44113, to Permit No. 5235615, Little Eagle, Inc., dba Little Eagle, 3111 East 93rd Street, Cleveland, Ohio 44104; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership and location of a C2 and C2X Liquor Permit from Permit No. 9116464, 2700 Carroll Avenue, Inc., dba Mike's Discount Foods #4, 2700 Carroll Avenue, Cleveland, Ohio 44113, to Permit No. 5235615, Little Eagle, Inc., dba Little Eagle, 3111 East 93rd Street, Cleveland, Ohio 44104, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Coun-

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

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

Adopted April 1, 1996.  
Effective April 10, 1996.

**Res. No. 572-96.**

**By Councilman Melena.**

**An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 7936 Lorain Avenue.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 2872234, Frank & Marty, Inc., 7936 Lorain Avenue, Cleveland, Ohio 44102, to Permit No. 9835390, Yofa Corp., 7936 Lorain Avenue, Cleveland, Ohio 44102; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Permit No. 2872234, Frank & Marty, Inc., 7936 Lorain Avenue, Cleveland, Ohio 44102, to Permit No. 9835390, Yofa Corp., 7936 Lorain Avenue, Cleveland, Ohio 44102, and requests the Director of Liquor Control to set a

hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 1, 1996.

Effective April 10, 1996.

**Res. No. 573-96.**

**By Councilman Patton.**

**An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 10109 St. Clair Avenue, first floor only.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 5970724, Claybourne Miller, dba Miller Delicatessen, 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108, to Permit No. 0341755, Ayad St. Clair Deli, Inc., 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the trans-

fer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 5970724, Claybourne Miller, dba Miller Delicatessen, 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108, to Permit No. 0341755, Ayad St. Clair Deli, Inc., 10109 St. Clair Avenue, first floor only, Cleveland, Ohio 44108, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 1, 1996.

Effective April 10, 1996.

**Res. No. 574-96.**

**By Councilmen Patton, Patton, and Coats.**

**An emergency resolution urging the Governor to rescind his public attack of affirmative action programs in the state of Ohio and to reevaluate his position on state of Ohio affirmative action programs.**

Whereas, affirmative action programs and minorities have made considerable contributions to the lifeblood of the United States of America and the state of Ohio; and

Whereas, minorities have received very little in terms of rewards, retribution, or appreciation for their contributions; and

Whereas, the state of Ohio has been favorably recognized by the United States Supreme Court in the Croson case regarding Ohio's approach to affirmative action; and

Whereas, the Governor has recently made statements affirming a belief in the value and integrity of affirmative action; and

Whereas, this Council is very concerned about the Governor's public comments regarding affirmative action; and

Whereas, this resolution constitutes an emergency measure because it is imperative that the Governor's position on affirmative action in the state of Ohio be immediately clarified; now, therefore,

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

**Section 1.** That this Council urges the Governor to rescind his public attack of affirmative action programs in the state of Ohio and to reevaluate his position on state of Ohio affirmative action programs.

**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 April 1, 1996.

Effective April 10, 1996.

**Res. No. 575-96.**

**By Councilman Patton.**

**An emergency resolution objecting to the issuance of a C1 and C2 Liquor Permit to 4336-38 Lee Road.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a C1 and C2 Liquor Permit to Permit No. 0326685-0005, Aurora Market, Inc., 4336-38 Lee Road, Cleveland, Ohio 44128; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the issuance of a C1 and C2 Liquor Permit to Permit No. 0326685-0005, Aurora Market, Inc., 4336-38 Lee Road, Cleveland, Ohio 44128, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 1, 1996.

Effective April 10, 1996.

**Res. No. 576-96.****By Councilman Robinson.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 3350 East 116th Street and Gas Pumps, and repealing Res. No. 1853-95, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 3350 East 116th Street and Gas Pumps by Res. No. 1853-95, adopted October 23, 1995; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 Liquor Permit to 3350 East 116th Street and Gas Pumps be and the same is hereby withdrawn and Res. No. 1853-95, 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 April 1, 1996.

Effective April 10, 1996.

**Res. No. 577-96.****By Councilman Zone.**

**An emergency resolution objecting to the transfer of ownership and location of a C1 and C2 Liquor Permit to 12845 Lorain Road.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 28682510005, Fares J. Francis, dba Norman's Deli, 11939 Triskett Road, first floor front, Cleveland, Ohio 44111, to Permit No. 0024914, Milad Abifadel, dba My Friends Beverage, 12845 Lorain Road, Cleveland, Ohio 44111; and

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

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

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

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

Whereas, the place for which the

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership and location of a C1 and C2 Liquor Permit from Permit No. 28682510005, Fares J. Francis, dba Norman's Deli, 11939 Triskett Road, first floor front, Cleveland, Ohio 44111, to Permit No. 0024914, Milad Abifadel, dba My Friends Beverage, 12845 Lorain Road, Cleveland, Ohio 44111, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 1, 1996.

Effective April 10, 1996.

**Res No. 579-96.****By Councilman Rokakis.**

**An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 3600 Denison Avenue, first floor.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 8915888, 3600 Denison Ave. Inc., 3600 Denison Avenue, first floor, Cleveland, Ohio 44111, to Permit No. 8169952, Sifan Inc., DBA Sam's Market, 3600 Denison Avenue, first floor, Cleveland, Ohio 44109; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 8915888, 3600 Denison Ave. Inc., 3600 Denison Avenue, first floor, Cleveland, Ohio 44111, to Permit No. 8169952, Sifan Inc., DBA Sam's Market, 3600 Denison Avenue, first floor, Cleveland, Ohio 44109, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 1, 1996.

Effective April 10, 1996.

**Ord. No. 702-94.****By Councilmen Coats, Brady and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Directors of Public Service and Public Utilities to enter into agreements with the Board of Commissioners of Cuyahoga County and the Cleveland Bicentennial Commission in order to make the public improvement of installing decorative lighting on the Veterans Memorial Bridge and the Main Avenue Bridge.**

Whereas, the Cleveland Bicentennial Commission and Cuyahoga County have proposed to fund the installation of decorative lighting on the Veterans Memorial Bridge and the Main Avenue Bridge in order to celebrate the Bicentennial of the City of Cleveland; and

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation



of a municipal department; now, therefore,

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

**Section 1.** That the Directors of Public Service and Public Utilities ("Directors") are hereby authorized on behalf of the City of Cleveland ("City"), to enter into an agreement with the Board of Commissioners of Cuyahoga County ("County"), in order to make the public improvement of installing decorative lighting on the Veterans Memorial Bridge ("bridge"). Said improvement shall be constructed in accordance with plans, specifications and estimates approved by the County. The design, construction and supervision of said improvement will be arranged by the County.

**Section 2.** That said Directors are hereby authorized on behalf of the City to enter into an agreement with the County, in order to make the public improvement of installing decorative lighting on the Main Avenue Bridge. Said improvement shall be constructed in accordance with plans, specifications and estimates approved by the County.

**Section 3.** That said Directors are hereby authorized to enter into agreements with the County and the Bicentennial Commission to arrange for the funding of said improvements and to assign the existing project design contracts to the City.

**Section 4.** That the cost of the improvements described in this ordinance shall be paid from the funds and subfunds to which are credited the proceeds of deposits received from the County and donations by the Bicentennial Commission for such purpose.

**Section 5.** That the City hereby agrees to participate with the County in the cost of said improvements by an allocation from the County Motor Vehicle License Tax Fund to pay the County's portion of said improvements. If said improvements are financed as Federal-aid Highway projects, eligible costs of the improvements shall be financed from the aforesaid County Motor Vehicle License Tax Fund.

**Section 6.** That, upon completion of said improvements, the City shall keep said bridges open to vehicular and pedestrian traffic at all reasonable times thereafter. The County shall, at its sole expense, with the exception of electric power, maintain the decorative lighting systems. The City shall, at its sole expense, provide all electric power necessary to operate the decorative lighting.

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

Passed April 1, 1996.

Effective April 10, 1996.

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**Ord. No. 704-94.**  
**By Councilmen Coats, Brady and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Directors of Public Service and Public Utilities to amend Agreement No. 34570 between the Board of Commissioners of Cuyahoga County and the City of Cleveland, in order to provide for payment of electric power for operation**

**of decorative lighting on Hope Memorial Bridge.**

Whereas, on August 15, 1984, the City of Cleveland ("City") and the Board of Commissioners of Cuyahoga County ("County") entered into an agreement, pursuant to Ordinance No. 2467-A-83, passed December 19, 1983, regarding the construction of a lighting system for the piers and pylons on the Lorain-Carnegie Bridge (now the Hope Memorial Bridge) ("bridge"); and

Whereas, said agreement failed to provide for payment of electric power for operation of said lighting system; 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 Directors of Public Service and Public Utilities are hereby authorized to amend Agreement No. 34570 in order to provide for payment of electric power for operation of decorative lighting on the Hope Memorial Bridge.

**Section 2.** That, said amendment shall provide that the City, at its sole expense, shall provide all electric power for the operation of the decorative lighting of said bridge.

**Section 3.** That the cost of providing said electric power for the operation of the decorative lighting shall be payable from funds as appropriated by the Director of Finance for the specific purpose as set forth herein and in said amendment.

**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 April 1, 1996.

Effective April 10, 1996.

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**Ord. No. 1004-95.**  
**By Councilmen Brady and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide executive management search services for the Division of Cleveland Public Power.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide executive management search services for the Division of Cleveland Public Power.

The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified consultants available for such employ-

ment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Public Utilities, and certified by the Director of Finance.

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund No. 58 SF 001, Request No. 21488.

**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 April 1, 1996.

Effective April 10, 1996.

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**Ord. No. 1144-95.**  
**By Councilman Paulenske.**  
**An emergency ordinance to amend Section 365.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 66-94, passed June 6, 1994, relating to fees.**

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

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

**Section 1.** That, effective January 1, 1996, Section 365.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 66-94, passed June 6, 1994, is hereby amended to read as follows:

**Section 365.05 Fees**

(a) An application for a certificate of rental registration shall be accompanied by a fee which shall be nonrefundable, in accordance with the following schedule:

For three (3) up to thirty (30) units - \$30.00 per unit

For thirty-one (31) up to sixty (60) units - \$25.00 per unit

For sixty-one (61) units or more - \$20.00 per unit

No fees shall be collected from any one owner for all properties owned by said owner within the City in excess of \$10,000.00 per calendar year per building.

1995 — \$4,000.00

1996 — \$7,500.00

1997 and thereafter — \$10,000.00

(b) No fee shall be charged for a dwelling unit occupied by the owner thereof.

(c) An application to provide the statement required by Section 367.12 shall be accompanied by a thirty dollar (\$30.00) fee.

(d) A request which requires a records search and a written response must be in writing and accompanied by a fee of fifteen dollars (\$15.00).

**Section 2.** That, effective January 1, 1996, existing Section 365.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 66-94, passed June 6, 1994, 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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 1252-95.**

**By Councilman Rokakis.**

**An ordinance to change the Use, Area and Height Districts of lands on the southwesterly side of Bradley Road, S.W. between Jennings Road, S.W. and north of South Ridge Drive. (Map Change No. 1881, Sheet No. 6)**

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

**Section 1.** That the Use and Area Districts of lands bounded and described as follows,

Beginning at the intersection of the center line of Bradley Road, S.W. (fifty (50) feet wide) and the northeasterly prolongation of the southeasterly line of Permanent Parcel Number 009-14-007; thence southwesterly along said northeasterly prolongation of and along said southeasterly line of said Permanent Parcel Number 009-14-007 for a distance of approximately four hundred eighty seven and seventy six hundredths (487.76) feet to a southeasterly corner thereof; thence northwesterly along said parcel for a distance of approximately seven hundred ninety five and eighty five hundredths (795.85) feet to a southwesterly corner thereof thence northeasterly along said parcel for a distance of approximately one hundred fifty four and seventy nine hundredths (154.79) feet to an interior corner thereof; thence northwesterly along said parcel for a distance of approximately six hundred seventy (670) feet to an interior corner thereof; thence southwesterly along said parcel for approximately forty eight (48) feet to a southwesterly corner thereof, thence northwesterly along said parcel for approximately two hundred thirty (230) feet to its intersection with the southeasterly corner of Permanent Parcel Number 009-33-022; thence westerly along the southerly line of said parcel for a distance of approximately three hundred (300) feet to the southwesterly corner thereof, thence northeasterly along the westerly line of said parcel for a distance of approximately three hundred fourteen and fifty two hundredths (314.52) feet to its intersection with the southerly line of Permanent Parcel Number 009-33-018; thence westerly along the southerly line of said parcel for a distance of approximately one hundred sixty five and ten hundredths (165.10) feet to the southwesterly corner thereof, thence in a general northwesterly direction along the westerly lines of Permanent Parcel Number 009-33-018 and Permanent Parcel Number 009-33-015 for a distance of approximately six hundred seventy two and eighty three hundredths (672.83) feet to an interior corner thereof, thence westerly along a southerly line of Permanent Parcel Number 009-33-015 and its westerly prolongation to its intersection with the center line of Jennings Road, S.W. (60 feet wide) thence in a general northwesterly direction along said center line of Jennings Road, S.W. to its intersection with said center line of Bradley Road, S.W.; thence in a general easterly and southeasterly direction along said center line of Bradley Road, S.W. to

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

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1881, Sheet No. 6 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed April 10, 1996.  
Effective May 11, 1996.

**Ord. No. 2011-95.**

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

**An emergency ordinance to authorize the issuance and sale of Waterworks Improvement and Refunding First Mortgage Revenue Bonds, Series H 1996, of the City under authority of Article XVIII of the Constitution of the State for the purpose of paying costs of capital improvements to the waterworks system, including the refunding of outstanding revenue bonds of the City issued for that purpose, those revenue bonds to be in an aggregate principal amount not to exceed \$175,000,000 with respect to bonds for new capital improvements and in an aggregate principal amount not to exceed \$100,000,000 with respect to refunding bonds (except, in each case, in the event that any Series H Bonds are to be offered at an original issue discount); to authorize the execution and delivery of a seventh supplemental indenture of mortgage to secure the Series H Bonds; to supplement and amend Ordinance No. 1103-a-77, passed July 25, 1977; to provide for certain other matters; and declaring an emergency.**

Whereas, the City of Cleveland, Ohio (the "Issuer"), a municipal corporation and political subdivision in and of the State of Ohio, is authorized and empowered, pursuant to Article XVIII of the Constitution of the State of Ohio and pursuant to the Charter of the Issuer, among other things: (a) to own and operate the public utility referred to as the Waterworks System; (b) to make, from time to time, such additions, extensions, improvements, replacements and alterations to the Waterworks System as it may deem advisable; (c) to borrow money for the purpose of paying costs of such additions, extensions, improvements, replacements and alterations; (d) to issue for such purpose, as provided herein, additional bonds on a parity with bonds previously issued under and secured by the Mortgage described below, including refunding bonds to refund bonds previously issued under and secured by the Mortgage; (e) to secure such additional bonds by a supplemental indenture of mortgage, including a pledge of and lien on the Net Revenues and Mortgaged Properties, both as defined in the Mortgage; and (f) to request the Trustee under the Mortgage to enter into a supplemental indenture to amend the Mortgage as described below; and

Whereas, by and pursuant to Ordinance No. 1103-A-77, duly passed July 25, 1977 (the "Bond Legislation"), and Resolution No. 2767-77, duly adopted October 31, 1977, this Council (the "Governing Body") authorized the issuance of Waterworks Improvement First Mortgage Revenue Bonds, Series A, 1977, dated as of November 1, 1977 (the "Series A Bonds"), in the aggregate principal amount of \$80,000,000 for the purposes of refunding the Prior Revenue Bonds, refunding the Notes and paying Capital Costs, all as defined in the Bond Legislation; and

Whereas, the Bond Legislation provides, in Section 6 thereof, that the Issuer may issue additional revenue bonds on a parity with the Series A Bonds ("Parity Bonds"); and

Whereas, by and pursuant to Ordinance No. 872-83, duly passed April 18, 1983 (the "Series B Bond Legislation"), and Resolution No. 873-83, duly adopted April 18, 1983 (the "Series B Resolution of Award"), this Governing Body authorized the issuance of Parity Bonds designated Waterworks Improvement First Mortgage Revenue Bonds, Series B, 1983, dated as of August 1, 1983 (the "Series B Bonds"), in the aggregate principal amount of \$50,000,000, for the purpose of paying Capital Costs; and

Whereas, by and pursuant to Ordinance No. 1455-85, duly passed June 17, 1985 (the "Series C Bond Legislation") and Resolution No. 1457-86, duly adopted June 17, 1985 (the "Series C Resolution of Award"), this Governing Body authorized the issuance of Parity Bonds designated Waterworks Improvement First Mortgage Revenue Bonds, Series C, 1985, dated as of August 1, 1985 (the "Series C Bonds"), in the aggregate principal amount of \$57,500,000, for the purpose of paying Capital Costs; and

Whereas, by and pursuant to Ordinance No. 1171-86, duly passed June 9, 1986 (the "Series D Bond Legislation"), and Resolution No. 1172-86, duly adopted June 9, 1986 (the "Series D Resolution of Award"), this Governing Body authorized the issuance of Parity Bonds designated Waterworks Improvement First Mortgage Refunding Revenue Bonds, Series D, 1986, dated as of October 15, 1986 (the "Series D Bonds"), in the aggregate principal amount of \$119,065,000, for the purpose of refunding certain of the then Outstanding Series B Bonds and Series C Bonds; and

Whereas, by and pursuant to Ordinance No. 651-87, duly passed on April 20, 1987 (the "Series E Bond Legislation"), and Resolution No. 665-87, duly adopted April 20, 1987 (the "Series E Resolution of Award"), this Governing Body authorized the issuance of Parity Bonds designated Waterworks Improvement First Mortgage Revenue Bonds, Series E, 1987, dated as of June 15, 1987 (the "Series E Bonds"), in the aggregate principal amount of \$153,315,000 for the purpose of paying Capital Costs; and

Whereas, by and pursuant to Ordinance No. 2802-91, duly passed January 27, 1992 (the "Series F Bond Legislation") and Resolution No. 168-92, duly adopted January 27, 1992 (the "Series F Resolution of Award"), this Governing Body authorized the issuance of Parity Bonds, designated Waterworks Improvement First Mortgage Revenue Bonds, Series F, 1992, dated as

of March 1, 1992 (the "Series F Bonds"), in the aggregate principal amount of \$290,650,000, for the purpose of paying Capital Costs and refunding certain of the then Outstanding Series E Bonds; and

Whereas, by and pursuant to Ordinance No. 877-93, duly passed April 26, 1993 (the "Series G Bond Legislation") and Resolution No. 878-93 duly adopted April 26, 1993 (the "Series G Resolution of Award"), this Governing Body authorized the issuance of Parity Bonds, designated Waterworks Improvement First Mortgage Refunding Revenue Bonds, Series G, 1993, dated as of May 15, 1993 (the "Series G Bonds") in the aggregate principal amount of \$228,170,000 for the purpose of refunding certain designated maturities of the then Outstanding Series A Bonds, the Series D Bonds, the Series E Bonds and the Series F Bonds; and

Whereas, the Outstanding Series A Bonds, Series C Bonds, Series D Bonds, Series E Bonds, Series F Bonds and Series G Bonds (there are no Outstanding Series B Bonds, and after January 1, 1996, there will no longer be any Outstanding Series C Bonds) are secured on a parity by an Indenture of Mortgage, dated as of November 1, 1977 (the "Original Mortgage"), between the Issuer and National City Bank, Cleveland, Ohio, as Trustee (the "Trustee"), as amended and supplemented by the First Supplemental Indenture of Mortgage, dated as of August 1, 1983 (the "First Supplemental Mortgage"), the Second Supplemental Indenture of Mortgage, dated as of August 1, 1985 (the "Second Supplemental Mortgage"), the Third Supplemental Indenture of Mortgage, dated as of October 15, 1986 (the "Third Supplemental Mortgage"), the Fourth Supplemental Indenture of Mortgage, dated as of June 15, 1987 (the "Fourth Supplemental Mortgage"), the Fifth Supplemental Indenture of Mortgage, dated as of March 1, 1992 (the "Fifth Supplemental Mortgage"), and the Sixth Supplemental Indenture of Mortgage, dated as of May 1, 1993 (the "Sixth Supplemental Mortgage"), each between the Issuer and the Trustee;

Whereas, this Council has determined that it is necessary to issue, sell and deliver additional revenue bonds constituting Parity Bonds in order to finance the costs of capital improvements to the Waterworks System and to refund Outstanding Revenue Bonds in order to reduce the total principal and interest payable on the Outstanding Revenue Bonds; and

Whereas, this Council hereby determines to authorize the issuance, sale and delivery of such Parity Bonds, to be designated "Waterworks Improvement and Refunding First Mortgage Revenue Bonds, Series H, 1996" (the "Series H Bonds") on the terms set forth herein; and

Whereas, the Original Mortgage, as supplemented, may be amended as provided in Article XIII thereof, and this Council has determined to seek the consent of bondholders to the modifications of the Original Mortgage as set forth in the Amended and Restated Indenture described herein; and

Whereas, this Ordinance constitutes an emergency measure, providing for the immediate preservation of the public property, health and safety, and for the further rea-

son that this Ordinance is required to be immediately effective to permit the issuance and sale of the Series H Bonds which is necessary to enable the Issuer to enter into contracts for the improvement of, and to obtain debt service savings for the benefit of, its Waterworks System and thereby provide for the usual daily operation of a municipal department; now, therefore,

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

**Section 1. Definitions.** All words and terms defined in the Original Mortgage as amended and supplemented by the First Supplemental Mortgage, the Second Supplemental Mortgage, the Third Supplemental Mortgage, the Fourth Supplemental Mortgage, the Fifth Supplemental Mortgage and the Seventh Supplemental Mortgage shall have the same meanings herein as therein unless otherwise defined herein or unless the context or use otherwise so indicates. In addition to the words and terms defined in the Original Mortgage as amended and supplemented by the First Supplemental Mortgage, the Second Supplemental Mortgage, the Third Supplemental Mortgage, the Fourth Supplemental Mortgage, the Fifth Supplemental Mortgage, the Sixth Supplemental Mortgage and the Seventh Supplemental Mortgage, the following words and terms as used in the Bond Proceedings, the Mortgage (as hereinafter defined) and the Series H Bonds shall have the following meanings, unless the context or use otherwise indicates:

"Amended and Restated Indenture" shall mean the Eighth Supplemental Indenture between the Issuer and the Trustee, providing for the amendment of the Original Mortgage, as supplemented, upon the receipt of the consent of the holders of 66-2/3% of the Revenue Bonds at the time outstanding under the Original Mortgage.

"Bond Purchase Agreement" shall mean, with respect to the Series H Bonds, the Bond Purchase Agreement between the Issuer and the Original Purchasers approved pursuant to the Series H Resolution of Award.

"Book entry form" or "book entry system" means, with respect to the Revenue Bonds, a form or system, as applicable, under which (i) the ownership of beneficial interests in the Revenue Bonds and Debt Service on the Revenue Bonds may be transferred only through a book entry and (ii) physical Revenue Bond certificates in fully registered form are registered only in the name of a Depository or its nominee as Bondholder, with the physical Revenue Bond certificates "immobilized" in the custody of the Depository, the Trustee, or the Bond Registrar as custodian for the Depository. The book entry system is maintained by and is the responsibility of the Depository and not the Issuer or the Trustee. The book entry is the record that identifies, and records the transfer of the interest of, the owners of beneficial (book entry) interests in the Bonds.

"Certificate of Award" shall mean, with respect to the Series H Bonds, the Certificate of Award authorized pursuant to the Series H Resolution of Award.

"Code" means the Internal Revenue Code of 1986, the Treasury Regulations (including temporary regulations) under that Code or the

statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing.

"Continuing Disclosure Agreement" means the agreement, dated as of the date of the Seventh Supplemental Mortgage, authorized by Section 13, and which, together with the agreements of the Issuer set forth in that Section, shall constitute the continuing disclosure agreement made by the Issuer for the benefit of holders and beneficial owners of the Series H Bonds in accordance with the Rule.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a book entry system to record beneficial ownership of bonds or bond service charges, and to effect transfers of bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Earliest Optional Redemption Date" shall mean, with respect to any Series H Bonds that are subject to optional redemption prior to maturity, the date specified in or pursuant to the Series H Resolution of Award as the first date on which those Series H Bonds may be optionally redeemed, provided that such date shall be a Principal Payment Date and shall not be later than January 1, 2006.

"Escrow Agreement" means the Escrow Agreement, dated as of the date of the Seventh Supplemental Indenture, between the Issuer and the Trustee, in its capacity as Escrow Agent.

"Escrow Fund" means the fund, including the account or accounts therein, required to be maintained with the Trustee, in its capacity as Escrow Agent pursuant to the Escrow Agreement.

"Interest Payment Dates" shall mean, with respect to the Series H Bonds, the first day of January and July in each year, commencing on such a date to be specified in or pursuant to the Series H Resolution of Award, occurring no later than one year after the date on which the Series H Bonds are delivered and paid for.

"Mandatory Redemption Dates" shall mean, with respect to the Series H Bonds, the first day of January in each year specified in or pursuant to the Series H Resolution of Award in which Series H Term Bonds are to be redeemed with moneys deposited in the Bond Retirement Account for the payment of Sinking Fund Installments.

"Maximum Interest Rate" shall mean, for purposes of its use in the definition of "Specified Interest Rates" herein, eight percent (8%).

"Mortgage" shall mean the Original Mortgage as supplemented and amended by the First Supplemental Mortgage, the Second Supplemental Mortgage, the Third Supplemental Mortgage, the Fourth Supplemental Mortgage, the Fifth Supplemental Mortgage, the Sixth Supplemental Mortgage and the Seventh Supplemental Mortgage, and as the same may be amended, supplemented or otherwise modified by any other Supplemental Indenture of Mortgage.

"Original Mortgage" means the Indenture of Mortgage between the Issuer and the Trustee, dated as of November 1, 1977, including the Bond Legislation as a part thereof.

"Original Purchasers" shall mean, with respect to the Series H Bonds, Bear, Stearns & Co. Inc., Grigsby Brandford & Co. Inc., A.G. Edwards & Sons, Inc., Huntington Capital Corp., J.P. Morgan Securities Inc., Merrill Lynch & Co., Pryor, McClelland, Counts & Co., Inc. and Everen Securities, Inc., provided such persons are identified as such in or pursuant to the Series H Resolution of Award.

"Parity Bonds" shall mean the Series C Bonds, the Series D Bonds, the Series E Bonds, the Series F Bonds, the Series G Bonds and the Series H Bonds and any other Outstanding Revenue Bonds authorized and issued pursuant to Section 6 of the Bond Legislation, in addition to and on a parity with the Series A Bonds.

"Principal Payment Dates" shall mean, with respect to the Series H Bonds, the Principal Retirement Dates, Term Maturity Dates and Mandatory Redemption Dates.

"Principal Retirement Dates" shall mean, with respect to the Series H Bonds, the first day of January in each year in which Series H Serial Bonds are to be retired in accordance with their stated terms as specified in or pursuant to the Series H Resolution of Award, provided that no such Principal Retirement Date shall be later than January 1, 2026.

"Principal Retirement Schedule" shall mean with respect to the Series H Bonds, the schedule of the principal amount of the Series H Bonds to be retired at their stated maturities or redeemed pursuant to mandatory redemption on each Principal Payment Date (any such mandatory redemption being in lieu of any such retirement at maturity), as specified in or pursuant to the Series H Resolution of Award.

"Purchase Price" shall mean with respect to the Series H Bonds, the amount specified as such in or pursuant to the Series H Resolution of Award provided that amount shall be (i) not less than 97% of the amount determined by subtracting from the aggregate principal amount of the Series H Bonds any original issue discount with respect to any Series H Bonds, plus (ii) any original issue premium with respect to any Series H Bonds, plus (iii) any accrued interest on the Series H Bonds from their date to the date of delivery of the Series H Bonds to the Original Purchasers, less (iv) the premium or other costs of any policy of municipal bond insurance purchased with respect to the Series H Bonds.

"Rebate Fund" means the Series H Account of the Rebate Fund established pursuant to Section 7 hereof.

"Redemption Prices" shall mean, with respect to the Series H Bonds, the redemption prices, expressed as percentages of the principal amount of Series H Bonds to be so redeemed, at which the Issuer may elect to redeem Series H Bonds in accordance with Section 3.2 of the Mortgage, or at which the Issuer may be required to redeem Series H Bonds in accordance with Section 3.3 of the Mortgage, which redemption prices shall be determined in or pursuant to the Series H Resolution of Award, provided that no such redemption price shall exceed 105% or be less than 100% of the principal amount of the Series H Bonds to be so redeemed.

"Resolution of Award" shall mean, with respect to the Series H Bonds,

the Series H Resolution of Award.

"Revenue Bonds" shall mean those Outstanding maturities of the Series C Bonds, Series D Bonds, Series E Bonds, Series F Bonds, Series G Bonds and the Series H Bonds authorized hereby and any other Parity Bonds at any time Outstanding.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Series Bond Legislation" shall mean the Series B Bond Legislation, the Series C Bond Legislation, the Series D Bond Legislation, the Series E Bond Legislation, the Series F Bond Legislation, the Series G Bond Legislation, the Series H Bond Legislation and any other ordinance of the Governing Body authorizing the issuance of any Series of Parity Bonds, and comprising a part of the Supplemental Indenture of Mortgage securing such Series.

"Series H Bonds" shall mean the Waterworks Improvement and Refunding First Mortgage Revenue Bonds, Series H, 1996, authorized to be issued pursuant to Section 2 of the Series H Bond Legislation.

"Series H Bond Legislation" shall mean this ordinance, comprising a part of the Seventh Supplemental Mortgage.

"Series H Resolution of Award" shall mean the Resolution, together with any Certificate of Award thereby authorized, adopted by this Governing Body in conjunction with and pursuant to the Series H Bond Legislation, which Resolution alone specifies or which Resolution and any such Certificate of Award collectively specify such matters regarding the Series H Bonds as are required to be specified therein pursuant to Section 3 of the Series H Bond Legislation.

"Series H Serial Bonds" shall mean those Series H Bonds which are Serial Bonds, as specified in or pursuant to the Series H Resolution of Award.

"Series H Term Bonds" shall mean those Series H Bonds which are Term Bonds, as specified in or pursuant to the Series H Resolution of Award.

"Seventh Supplemental Mortgage" shall mean the Seventh Supplemental Indenture of Mortgage between the Issuer and the Trustee, dated as of January 1, 1996, including the Series H Bond Legislation as a part thereof.

"Sinking Fund Installment" shall mean, with respect to the Series H Bonds, as of any particular date of calculation, the amount, as specified in or pursuant to the Series H Resolution of Award, required to be paid by the Issuer on a particular Mandatory Redemption Date for the redemption of outstanding Series H Term Bonds which mature after said future date, but does not include any amount payable by the Issuer by reason only of the maturity of any Series H Term Bond.

"Specified Interest Rates" shall mean, with respect to the Series H Bonds, the rate or rates at which the Series H Bonds bear interest, expressed as a percentage of the principal amount thereof, which rate or rates shall be determined in or pursuant to the Series H Resolution of Award, provided that the weighted average of such rates on the Series H Bonds, taking into account the principal amount and

maturity of each Series H Bond to which a rate pertains, shall not exceed the Maximum Interest Rate.

"Supplemental Indenture of Mortgage" shall mean the First Supplemental Mortgage, the Second Supplemental Mortgage, the Third Supplemental Mortgage, the Fourth Supplemental Mortgage, the Fifth Supplemental Mortgage, the Sixth Supplemental Mortgage, the Seventh Supplemental Mortgage and any other indenture of mortgage, entered into pursuant to Article XIII of the Mortgage, amending, supplementing or otherwise modifying the Mortgage.

"Term Maturity Dates" shall mean the first day of January in each year in which Series H Term Bonds are to be retired at their stated maturity as specified in or pursuant to the Series H Resolution of Award, provided that no such Term Maturity Date shall be later than January 1, 2026.

**Section 2. Authorization of the Series H Bonds.** This Governing Body finds and determines it is necessary and proper, and in the best interest of the Issuer to issue, and the Issuer shall issue, the Series H Bonds for the purpose of paying costs of capital improvements to the Waterworks System and refunding the Refunded Bonds (hereinafter defined), which Series H Bonds shall be in an aggregate principal amount to be determined in accordance with, and subject to the limits set forth, in Section 3 hereof. The Series H Bonds shall constitute Revenue Bonds and shall be payable and secured only as set forth in the Bond Legislation. The Series H Resolution of Award may specify that the Series H Bonds may be issued in one or more separate series, each bearing a distinctive designation, provided that the Series H Bonds of all such series satisfy the requirements of the Bond Legislation and of this Series H Bond Legislation as though all such Bonds were the same, single series. The Refunded Bonds shall be designated by the Issuer in the Certificate of Award and shall consist of those Outstanding Series A Bonds, Series C Bonds, Series D Bonds, Series E Bonds, Series F Bonds and Series G Bonds which can be refunded (and thereby deemed no longer Outstanding for purposes of the Mortgage) with the proceeds of the Series H Bonds available therefor, the refunding of which Outstanding Revenue Bonds will enable the Issuer, in the judgment of the officer or officers signing the Certificate of Award, to obtain net present value debt service savings with respect to the Revenue Bonds so refunded. The Refunded Bonds shall be called for redemption on the date or dates (the "Redemption Date" or "Redemption Dates") specified in the Certificate of Award. The Redemption Dates so specified shall be the dates required under the Code for compliance with Section 149(d) of the Code and other applicable federal tax laws.

**Section 3. Award and Sale of Series H Bonds.** The Series H Bonds shall be sold pursuant to and in the manner set forth in the Series H Resolution of Award, which shall award the Series H Bonds to the Original Purchasers, approve and authorize the execution and delivery of the Bond Purchase Agreement, designate the Paying Agent for the Series H Bonds and determine, specify and set forth the following details with respect to the

Series H Bonds in accordance with and subject to the limitations set forth in the Series H Bond Legislation:

(a) the aggregate principal amount; provided that such amount shall not exceed \$175,000,000 with respect to Series H Bonds issued to fund capital improvements to the Waterworks System, and shall not exceed \$100,000,000 with respect to Series H Bonds issued to refund the Refunded Bonds, assuming in each case that the Series H Bonds are to be initially offered to the public at a price at least equal to one hundred percent (100%) of their aggregate principal amount, but, if any of the Series H Bonds are to be initially offered to the public at an original issue discount (any such original discount being hereinafter referred to as an "Original Issue Discount"), then the maximum aggregate principal amount of Series H Bonds hereby authorized, shall be increased over those amounts by an amount equal to the sum of the products obtained from multiplying the Original Issue Discount at which each Series H Bond is to be initially offered to the public, by the principal amount of the Series H Bond to be so offered;

(b) the date or dates of the Series H Bonds;

(c) the Purchase Price;

(d) whether any Series H Bonds are subject to optional redemption prior to maturity and the Earliest Optional Redemption Date for any such Series H Bonds; (e) the Redemption Prices;

(f) the Principal Retirement Dates;

(g) the Term Maturity Dates;

(h) the Mandatory Redemption Dates;

(i) the Principal Retirement Schedule, including the amount of any Sinking Fund Installment to be paid on any Mandatory Redemption Date; and

(j) the Specified Interest Rates.

It is hereby determined that the Purchase Price, the Specified Interest Rates, and the other terms and details of the Series H Bonds as so determined within the limitations set forth in the Series H Bond Legislation and as so specified and set forth in or pursuant to the Series H Resolution of Award will be in the best interest of the Issuer and consistent with all legal requirements.

In performing their duties under this Series H Bond Legislation and the Series H Resolution of Award, the Directors of Finance and Public Utilities shall comply with the provisions of Chapter 187 of the Codified Ordinances of Cleveland, Ohio, 1976, including the City's goals for increasing participation by minority and female business enterprises in City contracts.

**Section 4. Application of Proceeds of Series H Bonds.** From the proceeds of the sale of the Series H Bonds, the Treasurer shall:

(a) pay to the Trustee, for deposit to the credit of the Interest Account in the Debt Service Fund, the amount, if any, received by the Issuer upon delivery of the Series H Bonds as accrued interest on any Series H Bonds from their dated date to the date of the delivery of and payment for the Series H Bonds;

(b) deposit in a separate account to be established by the Issuer and designated the "Series H Bonds Costs of Issuance Account," which account shall be held by the Issuer in trust, and except as hereinafter

provided, applied solely to the payment of the costs of issuing the Series H Bonds;

(c) pay to the Trustee, for deposit to the credit of the Debt Service Reserve Fund, an amount equal to the amount required to be deposited in the Debt Service Reserve Fund in order to cause the balance therein to equal the Debt Reserve Requirement; and

(d) pay to the Trustee, for deposit to the credit of the Escrow Fund established pursuant to the Escrow Agreement, those proceeds to be applied in accordance with the Escrow Agreement to refund the Refunded Bonds.

(e) deposit the balance of such proceeds in an account to be established in the Construction Fund and designated the "Series 1996 Bond Proceeds Account".

Any proceeds of the Series H Bonds deposited to the Series H Bonds Costs of Issuance Account pursuant to this Section 4 and not expended for payment of costs of issuance of the Series H Bonds within ninety days after the date on which the Series H Bonds are delivered to and paid for by the Original Purchasers shall be paid to the Trustee for deposit to the Series 1996 Bond Proceeds Account of the Construction Fund.

Provision shall be made in the Seventh Supplemental Mortgage for the application of any amounts held in the funds and accounts established under the Mortgage and no longer required for the security of the Revenue Bonds as a result of the Refunded Bonds no longer being Outstanding, or any amounts that otherwise are in excess of the required balances.

**Section 5. Terms and Provisions Applicable to the Series H Bonds.**

(a) Form; Exchange and Transfer. Notwithstanding anything to the contrary in the Original Mortgage, (i) all Series H Bonds shall be issued in fully registered form, (ii) no Series H Bonds shall be convertible into unregistered Revenue Bonds payable to bearer, and (iii) no Series H Bond shall be exchangeable for a Coupon Revenue Bond or Bonds. To the extent that Sections 2.3, 2.6 and 2.10 of the Original Mortgage permit fully registered Revenue Bonds to be converted into or exchanged for Revenue Bonds payable to bearer or coupon Revenue Bonds, those Sections are hereby amended to prohibit Series H Bonds from being so converted or exchanged.

The Series H Bonds initially shall be delivered only in book-entry form and (i) shall be registered in the name of the Depository or its nominee, as registered owner and immobilized in the custody of the Depository, and (ii) as such shall not be transferable or exchangeable (except for transfer to another Depository or its nominee) without further action by the Issuer pursuant to the provisions of the Seventh Supplemental Mortgage permitting the Issuer to issue the Series H Bonds in the form of fully registered certificates in the event any Depository for the Series H Bonds ceases to serve as such and the Issuer declines or is unable to establish a book entry system for the Series H Bonds with any other qualified Depository.

(b) Denominations and Dates. The Series H Bonds shall be issued in the form of a single Series H Bond for each maturity or mandatory

sinking fund payment, in denominations of \$5,000 or any integral multiple thereof and shall be dated as of the date or dates specified in or pursuant to the Series H Resolution of Award. Each Series H Bond shall have only one principal maturity date, except for interim certificates or receipts issued pending preparation of definitive Series H Bonds.

(c) Interest and Place of Payment. The Series H Bonds shall bear interest at their respective Specified Interest Rates from the most recent date to which interest has been paid or duly provided for or, if no interest has been paid or duly provided for, from their date. The principal and Redemption Price, if any, of and the interest payable on each Series H Bond shall be payable at the times, to the persons and in the manner set forth in, or referenced by, the Seventh Supplemental Mortgage, including, without limitation, provisions thereof permitting special arrangements for payments to the Depository.

(d) Maturities. The Series H Serial Bonds shall mature on the Principal Retirement Dates, and the Series H Term Bonds shall mature on the Term Maturity Dates, as specified in or pursuant to the Series H Resolution of Award.

(e) Optional and Mandatory Redemption. The Series H Bonds may be subject to redemption prior to maturity at the option of the Issuer, if and to the extent so specified in or pursuant to the Series H Resolution of Award. Any Series H Bonds so determined to be subject to optional redemption and maturing by their stated terms after the Earliest Optional Redemption Date shall be subject to redemption at the option of the Issuer on or after the Earliest Optional Redemption Date in whole on any date or in part on any Interest Payment Date at the Redemption Prices specified in or pursuant to the Series H Resolution of Award and in accordance with the Mortgage. The Series H Term Bonds shall also be subject to mandatory redemption prior to maturity at the Redemption Price on each Mandatory Redemption Date in the aggregate amount of the Sinking Fund Installment to be paid on such Mandatory Redemption Date, all as specified in or pursuant to the Series H Resolution of Award and in accordance with Sections 3.3, 3.5 and 3.6 of the Mortgage.

(f) Execution. The Series H Bonds shall be executed and sealed by the persons and in the manner set forth in Section 2.8 of the Mortgage.

(g) Numbering. The Series H Bonds shall be numbered as determined by the Director of Finance.

**Section 6. Authorization of Seventh Supplemental Mortgage and Escrow Agreement.** In order to secure the payment of the principal of and the premium, if any, and interest on the Series H Bonds by the Original Mortgage as amended and supplemented by the First Supplemental Mortgage, the Second Supplemental Mortgage, the Third Supplemental Mortgage, the Fourth Supplemental Mortgage, the Fifth Supplemental Mortgage, the Sixth Supplemental Mortgage and as further amended and supplemented pursuant to the authority of the Bond Legislation and this Series H Bond Legislation, the Mayor, Director of Finance and Director of Public Utilities, or any two of them, are hereby authorized and directed, in

the name and on behalf of the Issuer, to make, execute, acknowledge and deliver to the Trustee, in trust for the Original Purchasers and subsequent holders of the Series H Bonds, a good and sufficient Seventh Supplemental Mortgage, approved as to form and correctness by the Director of Law, substantially in the form now on file with the Clerk in the File referenced in Section 6 hereof, with such changes therein or thereto not inconsistent with the Original Mortgage as amended and supplemented by the First Supplemental Mortgage, the Second Supplemental Mortgage, the Third Supplemental Mortgage, the Fourth Supplemental Mortgage, the Fifth Supplemental Mortgage, the Sixth Supplemental Mortgage and the Series H Bond Legislation and not substantially adverse to the Issuer as may be approved by the officers executing the same on behalf of the Issuer. The approval of any such changes by such officers and the determination by such officers that no such change is substantially adverse to the Issuer shall be conclusively evidenced by the execution of the Seventh Supplemental Mortgage by such officers. The Series H Bond Legislation shall constitute a part of the Seventh Supplemental Mortgage, and National City Bank, Cleveland, Ohio, shall continue to serve as Trustee under the Mortgage and shall signify its acceptance of the duties and obligations of the Trustee under the Seventh Supplemental Mortgage by executing the Seventh Supplemental Mortgage.

In order to cause the proceeds of the Series H Bonds deposited in the Escrow Fund pursuant to Section 4 hereof to be invested as required under Section 12.2 of the Mortgage so that the Refunded Bonds are deemed paid and discharged, and in order to cause the amount to be deposited to be dedicated and applied in accordance with the terms thereof to the payment of the principal of and interest and any redemption premium on the Refunded Bonds as and when due, to and including the Redemption Date, the Mayor, Director of Finance and Director of Public Utilities, or any two of them, are hereby authorized and directed, in the name and on behalf of the City, to make, execute, acknowledge and deliver an Escrow Agreement between the Issuer and the Trustee as Escrow Agent, approved as to form and correctness by the Director of Law, providing for the establishment of the Escrow Fund as a trust fund in the custody of the Trustee and the investment, dedication and application of the moneys deposited in the accounts therein for the above-described purposes and further providing for the payment of the fees and expenses of the Trustee for the performance of its fiduciary duties as Escrow Agent. The Escrow Agreement shall provide for the redemption of those Refunded Bonds subject to redemption in accordance with the Mortgage and shall provide irrevocable instruction to the Trustee to effect such redemption at the earliest possible date including instructions for the notification of Bondholders. The Mayor, Director of Finance and the Director of Public Utilities, or any two of them, are authorized, in the name and on behalf of the Issuer, to make, execute, acknowledge and deliver agreements, approved as to form and correctness by the Direc-

tor of Law, with one or more institutions, including agreements which will enable the Issuer to more efficiently structure the Escrow Fund, and thereby maximize debt service savings and minimize negative arbitrage. The Director of Finance is authorized and directed to take such other actions as may be necessary or appropriate to accomplish the refunding of the Refunded Bonds including without limitation, the retention of a firm of independent certified public accountants to verify that the federal securities to be in the Escrow Fund are of such maturities or redemption dates, and interest payment dates, and bear such interest, as will be sufficient, together with any available moneys in the Escrow Fund, for the payment of Debt Service on the Refunded Bonds.

**Section 7. Rebate Fund.** There is hereby established and ordered to be maintained a separate account (except when invested as provided in the Indenture), designated the Series H Account, within the Rebate Fund established pursuant to the Series E Bond Legislation and held in the custody of the Trustee. Any provision hereof or of the Mortgage to the contrary notwithstanding, the Rebate Fund is not pledged to the payment of Debt Service, is not one of or part of any of the Funds, and is free and clear of the pledge or lien under the Mortgage. Calculations of excess earnings that may be due and payable to the federal government pursuant to the Code and deposits to the Series H Account of the Rebate Fund shall be made as provided in the Seventh Supplemental Mortgage.

**Section 8. Incorporation of Bond Legislation.** It is understood and acknowledged that the Series H Bonds are being issued pursuant to and in accordance with the terms of the Bond Legislation and of the Series H Bond Legislation, and that the Series H Bonds are subject to the terms and conditions of the Bond Legislation except to the extent that such terms and conditions are modified or amended by or pursuant to the Series H Bond Legislation. All terms, conditions, covenants and warranties contained in the Bond Legislation, except as otherwise provided in or pursuant to the Series H Bond Legislation, shall apply with like force and effect to the Series H Bonds as if originally made in connection with the issuance thereof.

**Section 9. Interest Rate Exchange Agreement.** This Council finds that by engaging in interest rate swap transactions, from time to time, the Issuer can, in effect, convert interest on all or a portion of the Series H Bonds from a fixed rate to a floating rate, or from a floating rate to a fixed rate, and thereby may reduce its cost of borrowing by optimizing the relative amounts of fixed and floating rate obligations from time to time and minimizing the risk of variations in its debt service costs. To permit the Issuer to have the flexibility to undertake such interest rate swap transactions and to establish the procedures for approving such transactions, this Council authorizes the execution and delivery of an Interest Rate Exchange Agreement (the "Rate Exchange Agreement") and any related agreements necessary for the consummation of the transactions contemplated by such Rate Exchange Agreement.

Upon the recommendation of the financial advisor of the Issuer to the Director of Finance that an interest rate swap transaction be undertaken by the Issuer, the Director of Finance may authorize such an interest rate swap transaction in accordance with the Rate Exchange Agreement; provided that (a) the maximum aggregate notional amount of interest rate swap transactions outstanding at any one time, net of offsetting interest rate swap transactions, shall not exceed an amount equal to the greater of (i) twenty percent of the aggregate outstanding principal amount of all Outstanding Revenue Bonds issued under the Mortgage, or (ii) such amount as will not result in a lowering of the ratings assigned to the Outstanding Revenue Bonds by the rating agencies, as is evidenced by written correspondence from the rating agencies or policies published in writing by the rating agencies and (b) the term of each interest rate swap transaction shall not exceed 30 years. The aggregate amount of all such rate interest swap transactions in effect as of any time shall be determined on a net basis; that is, where any such transaction is entered into to offset or reverse an earlier transaction, to the extent of the offsetting or reversing effect, the amounts of such offsetting or reversing interest rate swap transactions shall not be included in the aggregate total. The approval of each interest rate swap transaction by the Director of Finance shall be conclusively evidenced by the execution of the applicable interest rate swap transaction by the Director of Finance or any other person duly authorized by this Council to execute interest rate swap transactions.

The Issuer may pay any amounts due under the Rate Exchange Agreement and the interest rate swap transactions from the Net Revenues of the Waterworks System held in or for the credit of the Additions and Improvements Fund under the Original Mortgage, as supplemented, and any other available moneys of the Issuer permitted by law to be used for the purpose of making those payments. Nothing in the Rate Exchange Agreement or the interest rate swap transactions, however, shall be deemed to prohibit the Issuer from using, of its own volition, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms and conditions of or its obligations under the Rate Exchange Agreement or the interest rate swap transactions.

Anything in this Series H Bond Legislation, the Rate Exchange Agreement or any interest rate swap transaction to the contrary notwithstanding, the obligation of the Issuer to make payments under the Rate Exchange Agreement and any interest rate swap transaction does not and shall not represent or constitute a general obligation, debt, bonded indebtedness or a pledge of the faith and credit of the Issuer, the State of Ohio or any other political subdivision thereof. Nothing herein gives any party to the Rate Exchange Agreement the right to have excises, ad valorem or other taxes levied by the Issuer or the State of Ohio or by the taxing authority of any other political subdivision for the payment of any amounts due under the Rate Exchange Agreement and the interest rate swap transactions.

**Section 10. Covenants of the Issuer.** The Issuer, by issuance of the Series H Bonds, covenants and agrees with the Holders of the Series H Bonds, that:

(a) The Issuer will use the proceeds of the Series H Bonds to pay costs of capital improvements to the Waterworks System, to retire any Refunded Bonds, and to pay costs relating to the issuance of the Series H Bonds.

(b) The Clerk, or other appropriate officer of the Issuer, will furnish to the Original Purchasers and to the Trustee a true transcript of proceedings, certified by the Clerk or other officer, of all proceedings had with reference to the issuance of the Series H Bonds, together with such information from the Issuer's records as is necessary to determine the regularity and validity of such issuance.

(c) The Issuer will, at any and all times, cause to be done all such further acts and things and cause to be executed and delivered all such further instruments as may be necessary to carry out the purpose of the Series H Bonds and the Series H Bond Legislation or as may be required by Section 13, Article XVIII of the Constitution of Ohio and the Charter of the Issuer and will comply with all requirements of law applicable to the Waterworks System and the operation thereof.

(d) The Issuer will observe and perform all its agreements and obligations provided for in the Series H Bonds, the Mortgage or the Series H Bond Legislation. All of the obligations under the Series H Bond Legislation and the Seventh Supplemental Mortgage are hereby established as duties specifically enjoined by law and resulting from an office, trust or station upon the Issuer within the meaning of Section 2731.01, Ohio Revised Code.

(e) The Issuer will use, and will restrict the use and investment of, the proceeds of the Series H Bonds in such manner and to such extent as may be necessary so that (a) the Series H Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest thereon will not be treated as an item of tax preference under Section 57 of the Code.

(f) The Issuer hereby covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Series H Bonds to be and to remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series H Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely rebate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

Each covenant made in this section with respect to the Series H

Bonds is also made with respect to all issues for which any portion of the Debt Service is paid from proceeds of the Series H Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Series H Bonds from gross income for federal income tax purposes, and the Director of Finance, or any other officer having responsibility with respect to the Series H Bonds, are authorized to take such actions with respect to those issues as they are authorized in this section to take with respect to the Series H Bonds.

The Mayor, the Director of Finance or any other officer of the Issuer having responsibility for the issuance of the Series H Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the Issuer with respect to the Series H Bonds as the Issuer is permitted or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for, or available under, Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Series H Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments of penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amount or payments, as determined by that officer, which action shall be in writing and signed by the officer and (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the Issuer, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Series H Bonds. The Director of Finance or any other officer or employee or consultant to the Issuer having responsibility with respect to the issuance of the Series H Bonds, alone or in conjunction with any other officer or employee of or consultant of the Issuer shall give one or more appropriate certificates of the Issuer, for inclusion in the transcript of proceedings for the Series H Bonds, setting forth the reasonable expectations of the Issuer regarding the amount and use of all the proceeds of the Series H Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Series H Bonds.

**Section 11. Authorization of Bond Rating and Credit Enhancement.** If, in the judgment of the Director of Finance, the filing of applications for one or more ratings on the Series H Bonds by one or more nationally recognized rating agencies and for a credit enhancement facility (including, without limitation, a policy of municipal bond insurance) are necessary or desirable for marketing purposes, the Director of Finance, in her official capacity, is hereby authorized to prepare and submit any or all of those applications, to provide such information as may be required in

support thereof and to provide further for the payment of the costs of such ratings or credit facility from funds to be appropriated for the purpose if and to the extent that such payment shall not be made by the Original Purchaser.

**Section 12. Authorization of Eighth Supplemental Indenture (the Amended and Restated Indenture).** Pursuant to the provisions of Section 13.2 of the Original Mortgage, which provides that the holders of 66-2/3% in aggregate principal amount of the Revenue Bonds then outstanding under the Original Mortgage, as supplemented, may consent to the execution by the Issuer and the Trustee of such supplemental indentures as shall be deemed necessary and desirable by the Issuer for the purpose of modifying, altering, amending, adding to or rescinding the terms or provisions contained in the Original Mortgage, as supplemented, the Issuer hereby determines to seek the amendment of the Original Mortgage and all Supplemental Indentures of Mortgage as provided in the Amended and Restated Indenture. Each holder of a Series H Bond shall be deemed to consent to such amendments. Upon the receipt of such other consents as are needed to achieve the required 66-2/3%, the Mortgage shall be amended and restated in its entirety as provided in the Amended and Restated Indenture. Prior to that date the Amended and Restated Indenture shall constitute a security agreement subject and subordinate to the Mortgage and the Revenue Bonds issued under the Mortgage as provided therein. The Issuer may authorize the issuance of obligations under the Amended and Restated Indenture that shall be subject and subordinate to the lien of the Mortgage. The Mayor, Director of Finance and Director of Public Utilities, or any two of them, are hereby authorized and directed, in the name and on behalf of the Issuer, to make, execute, acknowledge and deliver to the Trustee, the Amended and Restated Indenture, approved as to form and correctness by the Director of Law, substantially in the form now on file with the Clerk in the File referenced in Section 6 hereof, with such changes therein or thereto that are not substantially adverse to the Issuer as may be approved by the officers executing the same on behalf of the Issuer. The approval of any such changes by such officers and the determination by such officers that no such change is substantially adverse to the Issuer shall be conclusively evidenced by the execution of the Amended and Restated Indenture by such officers. National City Bank, Cleveland, Ohio, shall serve as Trustee under the Amended and Restated Indenture and shall signify its acceptance of the duties and obligations of the Trustee under the Amended and Restated Indenture by executing the Amended and Restated Indenture.

**Section 13. Continuing Disclosure Agreement.** In compliance with SEC Rule 15c2-12, the Issuer shall enter into the Continuing Disclosure Agreement, approved as to form and correctness by the Director of Law, between the Issuer and the Trustee, substantially in the form now on file with the Clerk in the File referenced in Section 6 hereof, with such changes therein or thereto that are not substantially adverse to the Issuer as may be approved by the

officer executing the same on behalf of the Issuer. The approval of any such changes by such officers and the determination by such officers that no such change is substantially adverse to the Issuer shall be conclusively evidenced by the execution of the Continuing Disclosure Agreement by such officers. In the Continuing Disclosure Agreement, the Issuer shall agree to provide, or cause to be provided, to each nationally recognized municipal securities information repository designated by the SEC from time to time in accordance with that Rule, and to any state information depository, the annual financial information and operating data and notices of specified events required by that Rule, as more particularly described in the Continuing Disclosure Agreement. The Mayor, Director of Finance, Director of Public Utilities, Director of Law and other appropriate officers of the Issuer are authorized and directed to execute, acknowledge and deliver in the name, and on behalf of the Issuer, such agreements, certificates and other instruments, and to deliver such information, as may be necessary or appropriate to comply with the requirements of the Rule. The Issuer understands and agrees that those commitments are intended to be for the benefit of the holders from time to time of the Series H Bonds, including holders of book entry interests in those Bonds.

**Section 14. Authorization of Other Documents.** To provide for the issuance and sale of the Series H Bonds and the consummation of the transactions contemplated hereby, the Mayor, the Director of Finance, the Director of Utilities or any one of them are authorized and directed to sign, acknowledge and deliver, in the name and on behalf of the City, a letter agreement with the Depository generally relating to the book entry system. The Mayor, the Director of Finance, the Director of Utilities, the Director of Law and the Clerk of the Governing Body, and such other officers of the Issuer as may be appropriate, are authorized and directed to furnish, execute, and deliver such documents, certifications and instruments as may be necessary or appropriate to issue the Series H Bonds and to consummate the transactions contemplated herein and in the Mortgage, the Rate Exchange Agreement and the Bond Purchase Agreement.

**Section 15. Open Meeting Determination.** It is found and determined that all formal actions of this Governing Body concerning and relating to the adoption of this Series H Bond Legislation were adopted in an open meeting of this Governing Body, and that all deliberations of this Governing Body, and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

**Section 16. Findings and Recitals of Validity.** The Issuer hereby determines, represents and recites that all acts, conditions and things necessary to be done precedent to and in the issuance of the Series H Bonds in order to make such bonds legal, valid and binding obligations of the Issuer have or will have happened or have or will have been done and performed in regular and due form as required by law and the Issuer's Charter; and that no limitation of indebtedness or taxation, either statutory or constitutional, is

applicable to the Series H Bonds or their issuance. It is further found and determined, and is hereby represented and recited, that the provisions of the Issuer's Charter and the rules of this Governing Body have been fully complied with and that the Series H Bond Legislation was adopted in conformity therewith.

**Section 17. Severability.** In case any section or provision of the Series H Bond Legislation or in case any covenant, stipulation, obligation, agreement, act, or action, or part thereof, made, assumed, entered into, or taken under the Series H Bond Legislation, or any application thereof, is for any reason held to be illegal or invalid, or is at any time inoperable by reason of any law, or actions thereunder, such illegality or inoperability shall not affect the remainder thereof or any other section or provision of the Series H Bond Legislation, or any other covenant, stipulation, obligation, agreement, act, or action, or part thereof, made, assumed, entered into, or taken under the Series H Bond Legislation, which shall at the time be construed and enforced as if such illegal or invalid or inoperable portion were not contained therein, nor shall such illegality or invalidity or inoperability or any application thereof affect any legal and valid and operable application thereof from time to time, and each such section, provision, covenant, stipulation, obligation, agreement, act, or action, or part thereof, shall be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent from time to time permitted by law.

**Section 18. Repeal of and Amendments to Ordinance No. 1103-A-77 upon Effective Date of Amended and Restated Indenture.** The following sections of Ordinance No. 1103-A-77 are amended and repealed, all as of the date provided in subsection (c) below, as follows:

(a) Section 1 of Ordinance No. 1103-A-77 is amended to read in its entirety as follows:

"Bond Legislation" shall mean with respect to the Series A Bonds, this ordinance.

"1977 Indenture" means the Indenture of Mortgage, dated as of November 1, 1977, between the Issuer and the Trustee, as supplemented.

"Revenue Bonds" shall mean the Series A Bonds and any other bonds issued under the 1977 Indenture, as supplemented, on or prior to the effective date of the Amended and Restated Indenture, at any time outstanding.

"Series A Bonds" shall mean the Waterworks Improvement First Mortgage Revenue Bonds, Series A, 1977, authorized to be issued pursuant to Section 5 hereof.

"Sinking Fund Installment" shall mean, with respect to the Series A Bonds, as of any particular date of calculation, the amount required to be paid by the City of Cleveland with respect to the Series A Bonds, and its lawful successors and assigns with respect to the waterworks system or any part thereof, on a particular future date for the retirement of Term Bonds, which mature after said future date, but does not include any amount payable by the City of Cleveland by reason only of the maturity of a Revenue Bond.

"Term Bonds" shall mean with

respect to the Series A Bonds, those Series A Bonds maturing on one principal maturity date and the principal of which is payable from fixed amounts provided to be deposited in each year for the payment of such principal on or prior to maturity.

(b) Sections 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21 of Ordinance No. 1103-A-77 are repealed.

(c) The amendment and repeals of sections of Ordinance No. 1103-A-77 made by this Section 18 become effective upon the consent to the amendments of the Original Mortgage and all Supplemental Indentures of Mortgage provided in the Amended and Restated Indenture of the holders of 66-2/3% in aggregate principal amount of the Revenue Bonds then outstanding under the Original Mortgage, as supplemented from time to time. The Director of Finance or Director of Law shall deliver to the Clerk of Council, for placement in the Clerk's file referenced in Section 6 hereof, written notice from the Trustee concerning the receipt by the Trustee of the consent of the required percentage of holders of the Revenue Bonds to those amendments and the effective date of that consent.

**Section 19. Effective Date.** This Series H Bond Legislation is declared to be an emergency measure for the reasons set forth in the preambles of this Series H Bond Legislation, which are made a part hereof, and, provided that this Series H Bond Legislation receives the affirmative vote of two-thirds of all members elected to the Governing Body, 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 date allowed by law.

Passed April 1, 1996.

Effective April 10, 1996.

**Ord. No. 2012-95,  
By Councilmen Brady, Patton and  
Rokakis (by departmental request).**

**An emergency ordinance to amend Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2643-91, passed March 23, 1992, relating to sewerage service charges within Cleveland.**

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 charges of the Division of Water Pollution Control, Department of Public Utilities for sewerage service within the City of Cleveland fixed by the Board of Control, be and the same are hereby approved.

**Section 2.** That Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2643-91, passed March 23, 1992, is hereby amended to read as follows:

**Section 543.02 Sewerage Service Charges within Cleveland.**

(a) Regular beginning January 1, 1996 through December 31, 1996. The charge for any sewerage service provided by the City to persons, corporation or their premises located inside the territorial limits of the City shall be based upon the quan-



tity of metered water used in or upon such premises and shall be assessed and collected at the rate of five dollars and three cents (\$5.03) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of five dollars and three cents (\$5.03) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less of water metered per quarter.

(b) Regular beginning January 1, 1997, through December 31, 1997. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of five dollars and thirty-six cents (\$5.36) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of five dollars and thirty-six cents (\$5.36) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(c) Regular beginning January 1, 1998, through December 31, 1998. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of five dollars and seventy-one cents (\$5.71) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of five dollars and seventy-one cents (\$5.71) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(d) Regular beginning January 1, 1999, through December 31, 1999. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at the rate of six dollars and nine cents (\$6.09) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of six dollars and nine cents (\$6.09) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(e) Regular beginning January 1, 2000. The charge for any sewerage service provided by the City to persons, corporations or their premises located inside the territorial limits of the City shall be based upon the quantity of metered water used in

or upon such premises and shall be assessed and collected at the rate of six dollars and forty-nine cents (\$6.49) for each one thousand (1,000) cubic feet measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is derived from sources other than the water supply furnished by the City. A minimum charge of six dollars and forty-nine cents (\$6.49) per quarter shall be assessed and collected for sewerage services for the first 1,000 cubic feet or less of water metered per quarter.

(f) Special Homestead beginning January 1, 1995. A minimum charge for sewerage service provided by the City shall be made to homesteads within the territorial limits of the City owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of R.C. 323.151 through 323.157. The charge for sewerage service provided to each homestead shall be based upon the quantity of metered water used in or upon such premises and shall be assessed and collected at a rate of four dollars and one cent (\$4.01) for each one thousand (1,000) cubic feet of water measured by meter in excess of the first 1,000 cubic feet of water metered per quarter, whether or not such water supply is furnished by the City. A minimum charge of four dollars and one cent (\$4.01) per quarter shall be assessed and collected for sewerage service for the first 1,000 cubic feet or less of water metered per quarter.

(g) In addition to those homesteads eligible for the special homestead rates prescribed by division (f) of this section, homesteads owned by a person sixty-five (65) years of age or older or permanently and totally disabled whose total annual income does not exceed Nineteen Thousand Five Hundred Dollars (\$19,500.00) may be eligible for the special homestead rate established pursuant to division (f) of this section.

(h) The Director of Public Utilities shall prescribe the application form for the homestead rates set forth in divisions division (f) of this section and shall have final approval on all applications.

(i) The sewerage service charges within the City shall be increased to meet the funding requirements of the Ohio Water Development Authority.

(n) Nothing contained in this section shall be held to authorize or require the payment of any sewer rental charge by any tax-supported department of the City.

**Section 3.** That existing Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2643-91, passed March 23, 1992, is hereby repealed.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 2013-95.**

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

**An emergency ordinance to amend Sections 535.04, 535.05, 535.06, and 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-91, passed June 10, 1991, and Section 535.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 990-85, passed June 17, 1985, relating to rates, rules and regulations for water service provided by the Division of Water, Department of Public Utilities.**

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

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

**Section 1.** That the rates, rules and regulations relating to the operation of the Division of Water, Department of Public Utilities, for water service, fixed by the Board of Control by Resolution No. \_\_\_\_\_, adopted \_\_\_\_\_, be and the same are hereby approved.

**Section 2.** That Sections 535.04, 535.05, 535.06, and 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-91, passed June 10, 1991, and Section 535.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 990-85, passed June 17, 1985, are hereby amended, effective April 4, 1996, to read, respectively, as follows:

Section 535.04 Direct Service Water Rates within Cleveland; Regular and Special Homestead

(a) Regular beginning 4/4/96 through 12/31/96

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Five Dollars and Fifty-Eight Cents (\$5.58).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Eleven Dollars and Ninety-Seven Cents (\$11.97) per 1,000 cubic feet.

(b) Regular beginning 1/1/97 through 12/31/97

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Five Dollars and Ninety-Nine Cents (\$5.99).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twelve Dollars and Eighty-Four Cents (\$12.84) per 1,000 cubic feet.

(c) Regular beginning 1/1/98 through 12/31/98

(1) A minimum service, and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Six Dollars and Forty-One Cents (\$6.41).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirteen Dollars and Seventy-Four Cents (\$13.74) per 1,000 cubic feet.

(d) Regular beginning 1/1/99 through 12/31/99

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Six Dollars and Eighty-Six Cents (\$6.86).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Fourteen Dollars and Sixty-Nine Cents (\$14.69) per 1,000 cubic feet.

(e) Regular beginning 1/1/00

(1) A minimum service and consumption charge shall be made to each and every customer within the territorial limits of the City of Cleveland. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Seven Dollars and Thirty-Three Cents (\$7.33).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Fifteen Dollars and Sixty-Eight Cents (\$15.68) per 1,000 cubic feet.

(f) Special Homestead beginning 8/1/91

(1) A minimum service and consumption charge shall be made to homesteads within the territorial limits of the City of Cleveland owned by a person sixty-five years of age or older or permanently and totally disabled; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Three Dollars and Fifty-Five Cents (\$3.55). There shall be a minimum charge of Three Dollars and Fifty-Five Cents (\$3.55) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval on all applications.

**Section 535.05 Direct Service Water Rates in Cuyahoga County Except Cleveland; Regular and Special Homestead**

(a) Regular beginning 4/4/96

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Ten Dollars and Three Cents (\$10.03). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-One Dollars and Forty-Four Cents (\$21.44) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Eleven Dollars and Sixty-Three Cents (\$11.63). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Five Dollars and Sixty-Five Cents (\$25.65) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The min-

imum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Seventy-Four Cents (\$13.74). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Nine Dollars and Forty-Two Cents (\$29.42) per 1,000 cubic feet.

(b) Regular beginning 1/1/97 through 12/31/97

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Ten Dollars and Seventy-Four Cents (\$10.74). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Two Dollars and Ninety-Six Cents (\$22.96) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Twelve Dollars and Forty-Five Cents (\$12.45). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty Seven Dollars and Thirty-Nine Cents (\$27.39) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fourteen Dollars and Sixty-Nine Cents (\$14.69). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-One Dollars and Forty-Two Cents (\$31.42) per 1,000 cubic feet.

(c) Regular beginning 1/1/98 through 12/31/98

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Eleven Dollars and Forty-Eight Cents (\$11.48). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Four Dollars and Fifty-Four Cents (\$24.54) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Twenty-Nine Cents (\$13.29). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Nine Dollars and Nineteen Cents (\$29.19) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fifteen Dollars and Sixty-Five Cents (\$15.65). All water used in excess of 1,000 cubic feet during each three month billing period

shall cost Thirty-Three Dollars and Forty-Nine Cents (\$33.49) per 1,000 cubic feet.

(d) Regular beginning 1/1/99 through 12/31/99

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Twelve Dollars and Twenty-Seven Cents (\$12.27). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Six Dollars and Twenty Cents (\$26.20) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fourteen Dollars and Nineteen Cents (\$14.19). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-One Dollars and Nine Cents (\$31.09) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Sixteen Dollars and Sixty-Nine Cents (\$16.69). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Five Dollars and Sixty-Eight Cents (\$35.68) per 1,000 cubic feet.

(e) Regular beginning 1/1/00

(1) A minimum service and consumption charge shall be made to each and every customer in the low and first high service districts. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Twenty-Nine Cents (\$13.29). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty Seven Dollars and Ninety-Three Cents (\$27.93) per 1,000 cubic feet.

(2) A minimum service and consumption charge shall be made to each and every customer in the second high district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fifteen Dollars and Thirteen Cents (\$15.13). All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Three Dollars and Seven Cents (\$33.07) per 1,000 cubic feet.

(3) A minimum service and consumption charge shall be made to each and every customer in the third high service district. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Seventeen Dollars and Twenty-Seven Cents (\$17.27). All water used in excess of 1,000 cubic feet during each three month billing period shall be Thirty Seven Dollars and Ninety-Six Cents (\$37.96) per 1,000 cubic feet.

(f) Special Homestead beginning 8/1/91

(1) A minimum service and consumption charge shall be made to homesteads in the low and first high service districts owned by a

person sixty-five years of age or older or by a permanently and totally disabled persons; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Six Dollars and Twenty-One Cents (\$6.21). There shall be a minimum charge of Six Dollars and Twenty-One Cents (\$6.21) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) A minimum service and consumption charge shall be made to homestead in the second high service district owned by a person sixty-five years of age or older or by a permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Eight Dollars and Twelve Cents (\$8.12). There shall be a minimum charge of Eight Dollars and Twelve Cents (\$8.12) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(3) A minimum service and consumption charge shall be made to homesteads in the third high service district owned by a person sixty-five years of age or older or by a person permanently and totally disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Section 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and Thirty-Five Cents (\$10.35). There shall be a minimum charge of Ten Dollars and Thirty-Five Cents (\$10.35) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(4) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval on all applications.

**Section 535.06 Direct Water Service Rates in Summit and Medina Counties; Regular and Special Homestead**

(a) Regular beginning 4/4/96 through 12/31/96

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Thirteen Dollars and Seventy-Four Cents (\$13.74).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Twenty-Nine Dollars and Forty-Two Cents (\$29.42) per 1,000 cubic feet.

(b) Regular beginning 1/1/97 through 12/31/97

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fourteen Dollars and Sixty-Nine Cents (\$14.69).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-One Dollars and Forty-Two Cents (\$31.42) per 1,000 cubic feet.

(c) Regular beginning 1/1/98 through 12/31/98

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Fifteen Dollars and Sixty-Five Cents (\$15.65).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Three Dollars and Forty-Nine Cents (\$33.49) per 1,000 cubic feet.

(d) Regular beginning 1/1/99 through 12/31/99

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Sixteen Dollars and Sixty-Nine Cents (\$16.69).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Five Dollars and Sixty-Eight Cents (\$35.68) per 1,000 cubic feet.

(e) Regular beginning 1/1/00

(1) A minimum service and consumption charge shall be made to each and every customer in Summit and Medina Counties. The minimum charge for the first 1,000 cubic feet or less of water used during each three month billing period shall be Seventeen Dollars and Twenty-Seven Cents (\$17.27).

(2) All water used in excess of 1,000 cubic feet during each three month billing period shall cost Thirty-Seven Dollars and Ninety-Six Cents (\$37.96) per 1,000 cubic feet.

(f) Special Homestead beginning 8/1/91

A minimum service and consumption charge shall be made to homesteads in Summit and Medina Counties owned by a person sixty-five years of age or older or a permanently disabled person; provided that such person obtains a certificate of reduction in taxes pursuant to the Homestead Exemption provisions of Sections 323.151 through 323.157 of the Revised Code. The charge for each 1,000 cubic feet of water used by each homestead shall be Ten Dollars and Thirty-Five Cents (\$10.35). There shall be a minimum charge of Ten Dollars and Thirty-Five Cents (\$10.35) for the first 1,000 cubic feet or less used by each homestead during each three month billing period.

(2) The Director of Public Utilities shall prescribe the application form for the homestead rate and have final approval on all applications.

**Section 535.18 Rates for Water Sold Through Master Meters**

(a) The rates to be charged for the sale of water measured through Master Meters shall be as follows:

(1) To the City of Cleveland Heights: beginning 4/4/96 through 12/31/96, \$16.36 per mcf; beginning 1/1/97 through 12/31/97, \$17.52 per mcf; beginning 1/1/98 through 12/31/98, \$18.71 per mcf; beginning 1/1/99 through 12/31/99, \$19.97 per mcf; beginning 1/1/00, \$21.28 per mcf.

(2) To the City of East Cleveland:

beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(3) To the City of Lakewood: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(4) To the City of Bedford: beginning 4/4/96 through 12/31/96, \$16.76 per mcf; beginning 1/1/97 through 12/31/97, \$17.92 per mcf; beginning 1/1/98 through 12/31/98, \$19.11 per mcf; beginning 1/1/99 through 12/31/99, \$20.37 per mcf; beginning 1/1/00, \$21.68 per mcf.

(5) To the Village of Chagrin Falls: beginning 4/4/96 through 12/31/96, \$18.91 per mcf; beginning 1/1/97 through 12/31/97, \$20.24 per mcf; beginning 1/1/98 through 12/31/98, \$21.61 per mcf; beginning 1/1/99 through 12/31/99, \$23.06 per mcf; beginning 1/1/00, \$24.57 per mcf.

(6) To the City of Berea: beginning 4/4/96 through 12/31/96, \$18.98 per mcf; beginning 1/1/97 through 12/31/97, \$20.14 per mcf; beginning 1/1/98 through 12/31/98, \$21.33 per mcf; beginning 1/1/99 through 12/31/99, \$23.90 per mcf; beginning 1/1/00, \$24.19 per mcf.

(7) To Lake County: beginning 4/4/96 through 12/31/96, \$18.23 per mcf; beginning 1/1/97 through 12/31/97, \$19.39 per mcf; beginning 1/1/98 through 12/31/98, \$20.58 per mcf; beginning 1/1/99 through 12/31/99, \$21.84 per mcf; beginning 1/1/00, \$23.15 per mcf.

(8) To Lorain County: beginning 4/4/96 through 12/31/96, \$18.98 per mcf; beginning 1/1/97 through 12/31/97, \$20.14 per mcf; beginning 1/1/98 through 12/31/98, \$21.33 per mcf; beginning 1/1/99 through 12/31/99, \$22.59 per mcf; beginning 1/1/00, \$23.90 per mcf.

(9) To the City of North Ridgeville: beginning 4/4/96 through 12/31/96, \$14.04 per mcf; beginning 1/1/97 through 12/31/97, \$15.05 per mcf; beginning 1/1/98 through 12/31/98, \$16.09 per mcf; beginning 1/1/99 through 12/31/99, \$17.19 per mcf; beginning 1/1/00, \$18.34 per mcf.

(10) To Geauga County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(11) To Medina County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(12) To the City of Hudson Village: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(13) To Summit County: beginning 4/4/96 through 12/31/96, \$21.51 per mcf; beginning 1/1/97 through 12/31/97, \$22.84 per mcf; beginning 1/1/98 through 12/31/98, \$24.21 per mcf; beginning 1/1/99 through 12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

12/31/99, \$25.66 per mcf; beginning 1/1/00, \$27.17 per mcf.

(b) All bills for water so furnished shall be rendered monthly to the municipality or district to which water is so furnished, and if not paid within fifteen (15) days after the date of billing by the City of Cleveland, such bills shall be subject to a penalty of five percent added thereto. In the event that any monthly bill is not paid within four (4) months after written notice is given by the City of Cleveland, the City of Cleveland may, at its option, cease to furnish water to such municipality or district pending payment of any overdue amount.

(c) Rates for Standby Emergency Water Service. The rates to be charged for standby emergency water service shall consist of an annual standby fee of \$3600 per year in addition to the charge for consumption provided in division (a) of this section. Standby fees for standby emergency water service shall be payable in advance. All bills for water furnished under this section shall be rendered upon the termination of customer's emergency period or, if the duration of the emergency is longer than thirty days, in thirty day intervals. In the event that any standby fee is not paid in advance or any consumption bill is not paid within four months after written notice is given by the City of Cleveland, the City of Cleveland may at its option, cease to furnish standby emergency water service to such customer pending payment of any overdue amount.

**Section 535.21 Charges for Unmetered Fire Protection Service within the City and Direct Service Metropolitan Area**

A charge shall be made for each unmetered fire supply connection within the limits of the City and direct service suburbs. The charge shall be determined in accordance with the size of the fire supply connection through which water passes for use on the premises so supplied in accordance with the following schedule, for each three months or any part thereof:

**Beginning April 4, 1996, through December 31, 1996**

Connection Size (Inches)	Fee
1-1/2	\$22.50
2	22.50
3	22.50
4	38.75
5	61.25
6	87.50
8	156.25
10	245.00
12	352.50

**Beginning January 1, 1997, through December 31, 1997**

Connection Size (Inches)	Fee
1-1/2	\$25.00
2	25.00
3	25.00
4	43.75
5	68.75
6	100.00
8	177.50
10	276.25
12	397.50

**Beginning January 1, 1998, through December 31, 1998**

Connection Size (Inches)	Fee
1-1/2	\$26.25
2	26.25
3	26.25

4	46.25
5	72.50
6	105.00
8	186.25
10	290.00
12	417.50

**Beginning January 1, 1999, through December 31, 1999**

Connection Size (Inches)	Fee
1-1/2	\$28.75
2	28.75
3	28.75
4	50.00
5	78.75
6	113.75
8	202.50
10	316.25
12	456.25

**Beginning January 1, 2000**

Connection Size (Inches)	Fee
1-1/2	\$31.25
2	31.25
3	31.25
4	53.75
5	85.00
6	122.50
8	218.75
10	342.50
12	467.50

Charges shall be collected quarterly for each fire supply connection to cover inspection, testing, sealing and resealing of such service connections, stand-by pumpage capacity, and replacement or cleaning of distribution or trunk water mains to improve the water supply for fire protection purposes."

**Section 3.** That Sections 535.04, 535.05, 535.06, and 535.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1148-91, passed June 10, 1991, and Section 535.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 990-85, passed June 17, 1985, are hereby repealed effective April 4, 1996.

**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 April 10, 1996.  
Effective May 11, 1996 as a non-emergency measure.

**Ord. No. 2240-95.  
By Councilmen Brady and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with Banctec Service Corp. for the servicing of Banctec payment transaction processors, for the Division of Fiscal Control, Department of Public Utilities.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Banctec Service Corp. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said Banctec

Service Corp. upon the basis of its proposal dated August 1, 1996, for servicing two Banctec payment transaction processors and supporting equipment including all parts and labor, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the Division of Fiscal Control, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 50 SF 001, Request No. 20923.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 2241-95.  
By Councilmen Johnson and Rokakis (by departmental request).  
An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Cleveland Metropolitan Housing Authority for the 1996 Youth Sports Grant.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to apply for and accept a grant in the amount of \$27,000, from the Cleveland Metropolitan Housing Authority, to conduct the 1996 Youth Sports Grant, for the purposes set forth in the application and according thereto; that the Director of Parks, Recreation and Properties is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 2241-95-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 2243-95.  
By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by requirement contract of unarmed uniformed security guard services, for the Division of Cleveland Hopkins International Airport and the Division of Burke Lakefront Airport, Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of unarmed uniformed security guard services in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Hopkins International Airport and the Division of Burke Lakefront Airport, Department of Port Control. Bids

shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years. The specifications for the written requirement contract or contracts authorized by this ordinance shall provide that the contractor shall only employ residents of the City of Cleveland in the performance of the contract, provided however, that the Board of Control may waive or limit the scope of this provision in order to maintain the security requirements at the City's airports.

**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 20818)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 2245-95.**

**By Councilmen Paulensek, Miller, McGuirk, Polensek, Patton and Rokakis (by departmental request).**

**An emergency ordinance to establish No Right Turns at a specific intersection in the City of Cleveland as listed herein, and to amend the schedule on file with the Clerk of Council, File No. 107-76, pursuant to Section 413.09 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to full-time prohibitions.**

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 4511.13 of the Ohio Revised Code, this Council does hereby prohibit right turns against a steady red signal at a specific intersection in the City of Cleveland as listed herein, which list shall be added to the schedule on File with the Clerk of Council by amending File No. 107-76, established pursuant to Section 413.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976:

WARD	INTERSECTION	DIRECTION
13	St. Clair Avenue and E. 26th	Southbound and Eastbound
20	W. 140th and Puritas	Southbound
21	Puritas and W. 168th	Westbound

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 2246-95.**

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

**An emergency ordinance to establish No Right Turn at a specific intersection in the City of Cleveland as listed herein, and to amend the schedule on file with the Clerk of Council, File No. 106-76, pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, relating to full-time prohibitions.**

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 4511.13 of the Ohio Revised Code, this Council does hereby prohibit right turns against a steady red signal at a specific intersection in the City of Cleveland as listed herein, which list shall be added to the schedule on File with the Clerk of Council by amending File No. 106-76, established pursuant to Section 413.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1684-76, passed June 29, 1976:

WARD	INTERSECTION	DIRECTION
2	East 93rd Street and Miles	Southbound and Westbound
2	Harvard Avenue and East 93rd	All Directions

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 34-96.**

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

**An emergency ordinance authorizing and directing the Director of Port Control to make alterations and modifications in Contract No. 47146 for removal of underground storage tank and the installation of an aboveground storage tank at Cleveland Hopkins International Airport, with McCabe Corporation, for the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make the following alterations and modifications in Contract No. 47146 with McCabe Corporation for the removal of underground storage tank and the installation of an aboveground storage tank at Cleveland Hopkins International Airport, for the Department of Port Control:

Item No.	Description	Amount (\$)
ADDITIONS:		
1.	Removal of water in the UST excavation by means of a vac-truck: Add: 7,420 Gal. @ \$1.50 Gal. =	11,130.00
2.	Additional excavation at the Central Receiving UST site: Add: 2 hrs. @ \$338.30 p.h. =	676.60
3.	Transportation of excavated soil at CHIA: Add: 6.5 shifts @ \$400 per shift =	2,600.00
4.	Residual cleaning of UST interiors: Add: 80.46 hrs. @ \$49.60 p.h. =	3,991.00
5.	Transportation of UST's & return to CHIA due to the scrapyards non-acceptance of lining in UST's: Add: 18 hrs. @ \$58.33 p.h. =	1,050.00
6.	Disposal of UST solids: Add: 716.67 lbs. @ \$3.00 p. lb. =	2,150.00
7.	Removal of water in the UST excavation to the sanitary sewer: Add: 24,599.88 gal. @ \$0.50 gal. =	12,299.94
8.	Storage of UST (5 Points) excavation waters within vac-truck & latter discharge into sanitary sewer: Add: 65.82 hrs. @ \$37.92 p.h. =	2,495.89
9.	All Engineering, labor, equipment, materials, to relocate stairs, install guardrails, etc. in the Moat area: Add: 335.22 hrs. @ \$53.51 p.h. =	17,937.62
10.	Order for stone backfill for Central Receiving, Moat Area and the two 5 Points UST excavations: Add: 260 Tons @ \$20.00 Ton =	5,200.00
11.	Utility reconnections at the Central Receiving UST site: Add: 7 hrs. @ \$43.60 p.h. =	305.20
12.	Upgrade of McGrade Corporation Health & Safety Plan to Address 5 Points septic tank site: Add: 8 hrs. @ \$144.44 p.h. =	1,155.52
13.	Transportation & disposal of petroleum contaminated soil from the Moat Area & Central Receiving to landfill: Add: 133 Tons @ \$49.23 Ton =	6,547.59
14.	Waste Characterization of the two 5 Points UST stockpiled soils: Add: 2 samples @ \$1,488.10 each =	2,976.20
15.	Concrete removal beyond the contract amount: Add: 31.61 C.Y. @ \$47.50 C.Y. =	1,501.48
16.	Closure Option #1 for soil loading and transportations of soil to the Westside Storage building site: Add: 16 hrs. @ \$125.00 p.h. =	2,000.00
17.	Installation of an electrical feed between TJ-5K Flights and the CEI line directly west of the building. The cost includes all labor, material, and equipment. Add: 153 hrs. @ \$43.98 p.h. =	4,729.00
18.	Transport and disposal at landfill of petroleum contaminated soil from the Five Points garage UST sites: Add: 191.55 Tons @ \$49.23 Ton =	9,430.00

Item No.	Description	Amount (\$)
19.	Provide and install five guard posts at CEI transformer located at 5K Flights.	
	Add: 5 Posts @ \$197.75 per post =	988.75

CREDITS: NONE

NEW ITEMS: NONE

Original Contract Amount	\$268,428.00
Original Contingency	—0—
Total Original Certified Amount	\$268,428.00
Total Original Contract Amount	\$268,428.00
Additions this Subsidiary	+ 89,164.79
REVISED CONTRACT AMOUNT	\$357,592.79

which alteration has been recommended in writing by the said Director of Port Control, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Port Control and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$89,164.79, payable from Fund No. 60 SF 106.

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 35-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of one payment processor envelope extractor machine, for the Division of Fiscal Control, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one payment processor envelope extractor machine, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Fiscal Control, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 50 SF 001, Request No. 20930.

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 41-96.**  
**By Councilman Miller.**  
**An ordinance to change the Use and Area Districts of lands east of Rocky River Drive from north of I-480 to south of Midvale Ave., S.W. (Map Change No. 1896, Sheet No. 13)**

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

**Section 1.** That the Use, Area, and

Height Districts of lands bound and described as follows,

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublots Numbers 1 thru 37, 51 thru 87, Blocks A and B and part of Sublot Number 38 in The Kroehle Co's Westport Subdivision of part of Original Rockport Township Section No. 3 as shown by the recorded plat in Volume 111 of Maps, Page 39 of Cuyahoga County Records, all of Sublot Numbers 1 thru 51 in The Westport Subdivision No. 2 of part of Original Rockport Township Section No. 3 as shown by the recorded plat in Volume 161 of Maps, Page 25 of Cuyahoga County Records, all of parcels S and T and part of parcels Q and P in the Airport Survey as shown by the recorded plat in Volume 246 of Maps, Pages 71 thru 75, all of Sally Avenue S.W., 50 feet wide, part of Westport Avenue S.W., 54 feet wide, part of West 180th Street, 50 feet wide, part of West 181st Street, 50 feet wide, part of the Berea Freeway, State Highway No. 713, (so called), various widths, part of the connector street leading from said Westport Avenue S.W. to Midvale Avenue S.W. all proposed to be vacated and other land in Original Rockport Township Section No. 3, together forming a parcel of land bounded and described as follows:

Beginning in the southeasterly line of Rocky River Drive S.W., of various widths, at the northwesterly corner of Parcel 1A of land conveyed to Phillip Enterprises, Inc. by deed dated April 12, 1994 and recorded in Volume 94-04805, Page 16 of Cuyahoga County Records; thence in a general northeasterly direction along said southeasterly line of Rocky River Drive S.W., the following courses and distance:

Course No. 1: thence North 25° 16' 14" East, 77.54 feet to a point of curvature therein;

Course No. 2: thence along the arc of a circle deflecting to the right, having a radius of 1132.92 feet whose chord bears North 27° 57' 47" East, 106.44 feet and an arc distance

of 106.48 feet to a point of reverse curvature therein;

Course No. 3: thence along the arc of a circle deflecting to the left, having a radius of 1132.92 feet whose chord bears North 27° 57' 47" East, 106.44 feet and an arc distance of 106.48 feet to a point of tangency therein;

Course No. 4: thence North 25° 16' 14" East, 92.44 feet to an angle point therein;

Course No. 5: thence South 88° 52' 44" East, 5.48 feet to an angle point therein;

Course No. 6: thence North 25° 16' 14" East continuing along said southeasterly line of Rocky River Drive S.W., and its northeasterly prolongation, 333.18 feet to its point of intersection with the southerly line of The Provident Land Co's Riverview Subdivision No. 2 as shown by the recorded plat in Volume 95 of Maps, Page 38 of Cuyahoga County Records;

Course No. 7: thence South 88° 59' 16" East along said southerly line and along the northerly line of said The Kroehle Co's Westport Subdivision, 1831.65 feet to its point of intersection with westerly limited access line of Interstate 71; thence southerly, southwesterly and westerly along said Limited Access Line and the limited access line of the Airport Freeway, so called, the following courses and distances;

Course No. 8: thence South 18° 40' 48" West, 52.48 feet to an angle point therein;

Course No. 9: thence South 1° 03' 45" West, 130.62 feet to an angle point therein;

Course No. 10: thence North 88° 56' 15" West (said line also being the southerly line of said Westport Avenue S.W.), 44.98 feet to an angle point therein;

Course No. 11: thence South 1° 03' 45" West, 126.80 feet to an angle point therein;

Course No. 12: thence North 88° 52' 44" West, 19.16 feet to an angle point therein;

Course No. 13: thence South 42° 42' 54" West, 300.85 feet to an angle point therein;

Course No. 14: thence South 62°

07' 16" West, 154.70 feet to an angle point therein;

Course No. 15: thence South 68° 11' 37" West, 361.18 feet to an angle point therein;

Course No. 16: thence South 71° 41' 17" West, 113.43 feet to an angle point therein;

Course No. 17: thence South 74° 44' 11" West, 952.72 feet to its point of intersection with the easterly line of said State Highway No. 713;

Course No. 18: thence northerly along the curved easterly line of said State Highway No. 713, being the arc of a circle deflecting to the right, having a radius of 261.48 feet whose chord bears North 3° 18' 42" East, 63.61 feet and an arc distance of 63.77 feet to a point of tangency therein;

Course No. 19: thence North 10° 17' 52" East continuing along said easterly line of State Highway No. 713, 205.10 feet to the northeasterly corner of a parcel of land conveyed to Phillip Enterprises, Inc. by deed dated March 10, 1994 and recorded in Volume 94-02335, Page 48 of Cuyahoga County Records;

Course No. 20: thence North 88° 52' 21" West along the northerly line of land so conveyed to Phillip Enterprises, Inc., 177.27 feet to its point of intersection with the westerly line of said State Highway No. 713, said point also being a southeasterly corner of land so conveyed to Phillip Enterprises, Inc. as first aforesaid;

Course No. 21: thence North 10° 17' 52" East along said westerly line of State Highway 713, 98.00 feet to the northeasterly corner of land so conveyed to Phillip Enterprises, Inc.;

Course No. 22: Thence North 79° 43' 37" West along the northerly line of land so conveyed to Phillip Enterprises, Inc., 247.38 feet to the southeasterly line of Rocky River Drive S.W. and the place of beginning, containing within said boundaries 1,479,334 square feet (33.9608 Acres) of land, this legal description has been compiled from recorded documents and not an actual field survey by Garrett and Associates, Inc., Registered Engineers and Surveyors, bearings used herein are based on the aforesaid Airport Survey and are used to indicate angles only, be the same more or less, but subject to all legal highways.

and as outlined in red on the map hereto attached, be and the same are hereby changed to a Semi Industry Use District and a 'C' Area District, and a '2' Height District.

**Section 2.** That said changed designation of lands described in Section 1 shall be identified as Map Change No. 1896, Sheet No. 13, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

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

Passed April 10, 1996.  
Effective May 11, 1996.

**Ord. No. 81-96.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Fairfax Renaissance Development Corporation, or its designee, to provide economic development**

**assistance to partially finance the acquisition of land in the Fairfax neighborhood and to finance the construction of new housing.**

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 Fairfax Renaissance Development Corporation, or its designee, to provide economic development assistance to partially finance the acquisition of land in the Fairfax neighborhood between Cedar Avenue to the north, Quincy Avenue to the south, East 84th Street to the west, and East 89th Street to the east, and to finance the construction on said land of forty nine residential homes, Cleveland, Ohio.

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

**Section 3.** That the costs of said contract shall not exceed Three Million Seven Hundred Fifty-Eight Thousand, Five Hundred Forty-Four Dollars (\$3,758,544.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22397.

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

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

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

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 82-96.**

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

**An emergency ordinance authorizing the Directors of Economic Development and Finance to establish, using Empowerment Zone funds, an Empowerment Zone Debt Service Fund.**

Whereas, the establishment of an Empowerment Zone Debt Service Fund is necessary to insure that the City can pay its loan obligations to

the U.S. Department of HUD, pursuant to 24 CFR 570, subpart M, obligations which are secured against future Community Development Block Grant funds or to pay those loan obligations where paying them is part of an Acquisition and Development loan under the City's Empowerment Zone Program; and

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

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

**Section 1.** That the Directors of Economic Development and Finance are hereby authorized to establish an Empowerment Zone Debt Service Fund using Economic Development Initiative Grant monies under the City's Economic Development Initiative Grant Agreement with the U.S. Department of HUD.

**Section 2.** That the Directors of Economic Development and Finance are hereby authorized to fund the Empowerment Zone Debt Service Fund from the Economic Development Initiative Grant for the Empowerment Zone and to add monies to the fund from time to time as the City enters into loan repayment obligations under 24 CFR 570, subpart M, the monies to be paid into Fund No. 18 SF 003. (RL 22401).

**Section 3.** That the Directors of Economic Development and Finance are hereby authorized to establish a segregated bank account for the purpose of holding and investing the funds in the Empowerment Zone Debt Service Fund, in accordance with applicable federal regulations, state, and local law, and said directors are authorized to structure said account as they deem necessary to remain consistent with said laws and regulations.

**Section 4.** That the Director of Economic Development is hereby authorized to use the funds in the Empowerment Zone Debt Service Fund 18 SF 003 to make payments to the U.S. Department of HUD pursuant to any Section 108 Loan Agreements pursuant to 24 CFR 570, subpart M, which are part of the City's Supplemental Empowerment Zone program.

**Section 5.** That the Director of Law is hereby authorized to prepare such documents as may be necessary and appropriate to complete the transactions authorized hereunder.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 88-96.**

**By Councilmen Patmon, 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 on Columbia Avenue to Colejon Development Corporation or Designee.**

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to facili-



tate 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 be and he hereby is authorized to sell Permanent Parcel Nos. 108-22-035, 036, 037, 038, 060, 061, 062, more fully described in Section 2 below, to Colejon Development Corporation or designee.

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

#### Sublot No. 1

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 1 in Grace Point Resubdivision of part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 317.10 feet, along the center line of Columbia Avenue to a point;

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Northerly line of said Avenue. Said iron pin being also the principal place of beginning;

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of said Avenue to an iron pin set;

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 2 to an iron pin set;

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Sublot No. 8 to an iron pin set;

Thence S. 00° 10' 20" E., 127.5 feet, along the Easterly line of Sublot No. 1 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. R.S. No. 7343 Dec., 1995.

#### Sublot No. 2

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 2 in Grace Point Resubdivision of part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 364.60 feet, along the center line of Columbia Avenue to a point;

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Northerly line of said Avenue. Said iron pin being also the principal place of beginning;

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of said Avenue to an iron pin set;

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 3 to an iron pin set;

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Sublot No. 7 to an iron pin set;

Thence S. 00° 10' 30" E., 127.5 feet, along the Westerly line of Sublot No. 1 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. R.S. No. 7343 Dec., 1995.

#### Sublot No. 3

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 2 in Grace Point Resubdivision part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 412.10 feet, along the center line of Columbia Avenue to a point;

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Northerly line of said Avenue. Said iron pin being also the principal place of beginning;

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of said Avenue to an iron pin set;

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 4 to an iron pin set;

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Sublot No. 7 to an iron pin set;

Thence S. 00° 10' 20" E., 127.5 feet, along the Westerly line of Sublot No. 2 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. R.S. No. 7343 Dec., 1995.

#### Sublot No. 4

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 4 in Grace Point Resubdivision part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 459.60 feet, along the center line of Columbia Avenue to a point;

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Northerly line of said Avenue. Said iron pin being also the principal place of

beginning;

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of said Avenue to an iron pin set;

Thence N. 00° 10' 20" W., 127.5 feet, along the Westerly line of Sublot No. 4 to an iron pin set;

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Sublot No. 5 to an iron pin set;

Thence S. 00° 10' 20" E., 127.5 feet, along the Westerly line of Sublot No. 3 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. No. 7343 Dec., 1995.

#### Sublot No. 5

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 5 in Grace Point Resubdivision part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 459.60 feet, along the center line of Columbia Avenue to a point;

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Southeast corner of Sublot No. 4;

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 4 to an iron pin set, said iron pin being the Southeast corner of Sublot No. 5 and also the principal place of beginning;

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of Sublot No. 4 to an iron pin set;

Thence N. 00° 10' 20" W., 127.5 feet, along the Westerly line of Sublot No. 5 to an iron pin set;

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Empire Avenue (50' wide) to an iron pin set;

Thence S. 00° 10' 20" E., 127.5 feet, along the Westerly line of Sublot No. 6 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. R.S. No. 7343 in Dec., 1995.

#### Sublot No. 6

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 6 in Grace Point Resubdivision part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 412.10 feet, along the center line of Columbia Avenue to a point;

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Southeast corner of Sublot No. 3;

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 3 to an iron pin set, said iron pin being the Southeast corner

of Sublot No. 6 and also the principal place of beginning:

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of Sublot No. 3 to an iron pin set:

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 5 to an iron pin set:

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Empire Avenue (50' wide) to an iron pin set:

Thence S. 00° 10' 20" E., 127.5 feet, along the Westerly line of Sublot No. 7 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. R.S. No. 7343 in Dec., 1995.

#### Sublot No. 7

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 7 in Grace Point Resubdivision part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 364.60 feet, along the center line of Columbia Avenue to a point:

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Southeast corner of Sublot No. 2:

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 2 to an iron pin set, said iron pin being the Southeast corner of Sublot No. 7 and also the principal place of beginning:

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of Sublot No. 2 to an iron pin set:

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 6 to an iron pin set:

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Empire Avenue (50' wide) to an iron pin set:

Thence S. 00° 10' 20" E., 127.5 feet, along the Westerly line of Sublot No. 8 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. R.S. No. 7343 in Dec., 1995.

#### Sublot No. 8

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 369 and also known as being Sublot No. 8 in Grace Point Resubdivision part of Columbia Allotment as shown by the recorded plat in Volume Pages and of Cuyahoga County Records and further bounded and described as follows:

Beginning at a stone monument found at the intersection of the Westerly line of East 105th Street (66' wide) with the center line of Columbia Avenue (50' wide):

Thence N. 89° 59' 15" W., 317.10 feet, along the center line of Columbia Avenue to a point:

Thence N. 00° 10' 20" W., 25.0 feet, to an iron pin set on the Southeast corner of Sublot No. 1:

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 1 to an iron pin set, said iron

pin being the Southeast corner of Sublot No. 8:

Thence N. 89° 59' 15" W., 47.5 feet, along the Northerly line of Sublot No. 1 to an iron pin set:

Thence N. 00° 10' 20" W., 127.5 feet, along the Easterly line of Sublot No. 7 to an iron pin set:

Thence S. 89° 59' 15" E., 47.5 feet, along the Southerly line of Empire Avenue (50' wide) to an iron pin set:

Thence S. 00° 10' 20" E., 127.5 feet, along the Easterly line of Sublot No. 8 to an iron pin set and also the principal place of beginning containing 0.139 acre of land according to a survey by Bemba K. Jones, P.S. & Associates, Inc. R.S. No. 7343 in Dec., 1995.

**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 each subject parcels 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 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 April 1, 1996.

Effective April 10, 1996.

#### Ord. No. 89-96.

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Robert L. Kraber, or his designee, to provide economic development assistance to partially finance the acquisition of a building located at 3500 Payne Avenue, Cleveland, Ohio, 44106.**

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 Robert L. Kraber, or his designee, to provide economic development assistance to partially finance the acquisition of real property consisting of land and a building located at 3500 Payne Avenue,

Cleveland, Ohio 44106 and equipment and machinery to be located thereon.

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

**Section 3.** That the costs of said contract shall not exceed Four Hundred Fifty Thousand Hundred Dollars (\$450,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22393.

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

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

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

**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 April 1, 1996.

Effective April 10, 1996.

#### Ord. No. 94-96.

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with The Cleveland Housing Network Partnership XII, or its designee, to provide economic development assistance to partially finance the rehabilitation of twenty units of housing, at various locations in Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with The Cleveland Housing Network Partnership XII, or its designee, to provide economic development assistance to partially finance the rehabilitation of twenty units of housing, consisting of ten single family houses and five two family houses, located at 471 East 108th, 1214 East 112th, 870 East 130th, 10608 Englewood, 10514

Englewood, 8900 Easterbrook, 10309 Hampden, 10313 Olivet, 11910 Osceola, 10545 Remington, 10908 Tacoma, 1117 Willowmer, 2250 East 78th, 2257 East 82nd, and 2234 East 84th, Cleveland, Ohio.

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

**Section 3.** That the costs of said contract shall not exceed Nine Hundred Sixteen Thousand Three Hundred Thirty-Eight Dollars (\$916,338.00), and shall be paid from Fund No. 18 SF 001, Request No. 22396.

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

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

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

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 152-96.**  
**By Councilmen Polensek and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Helicopter Minit-Men, Inc. for the purchase of labor and materials necessary to service and maintain helicopters, for the Division of Police, Department of Public Safety, for a period of one year with an option to renew.**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Helicopter Minit-Men, Inc. Therefore, the Director of Public Safety be and he hereby is authorized and directed to make a written requirement contract for the period of one year commencing upon execution of

a contract with a one year option to renew for an additional one year term, exercisable by the Director of Public Safety, and cancellable upon thirty days' written notice by the Director of Public Safety, with said Minit-Men, Inc. upon the basis of its proposal dated November 20, 1995, for labor and materials needed to service and maintain helicopters, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, Department of Public Safety.

**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 20093)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 198-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of high flow rapid setting emulsion, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of high flow rapid setting emulsion in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

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

tified by the Director of Finance. (RL 21301)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 199-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of virgin and reclaimed asphalt, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of virgin and reclaimed asphalt in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21309)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 200-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of SSI tack coat, for the Division of Streets, Department of Public Service.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certi-

fy 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 21304)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 203-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Public Utilities to enter into contract without competitive bidding with IBM for the purchase of a direct access storage device, for the Division of Water, Department of Public Utilities.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation

of a municipal department; now, therefore,

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than IBM. Therefore, the Director of Public Utilities is hereby authorized and directed to make a written contract with said IBM for a direct access storage device, including but not limited to one (1) IBM 9337 Disk Array Subsystem and four (4) IBM upgrades for existing direct access storage devices, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 20926.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 208-96.**

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

**An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1996.**

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

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

**Section 1.** That to provide for the current expenses of the City of Cleveland for the fiscal year ending December 31, 1996, the following sums be and they are hereby appropriated viz:

The sum of Three hundred Three hundred ninety one million ten thousand five hundred thirty six dollars (\$391,010,536) from the General Fund;

The sum of Fifty three million five hundred seventy two thousand three hundred thirty three dollars (\$53,572,333) from the Special Revenue Funds;

The sum of Twenty two million eight hundred eighty three thousand six hundred sixty four dollars (\$22,883,664) from the Internal Service Funds;

The sum of Three Hundred seventy eight million seven hundred forty nine thousand six hundred forty four dollars (\$378,749,644) from the Enterprise Funds;

The sum of Five million six hundred thirty three thousand eight hundred ninety two dollars (\$5,633,892) from Trust and Agency Funds;

The sum of Forty four million one hundred forty two thousand forty three dollars (\$44,142,043) from the Debt Service Fund;

And identified as File No. 208-96-A, in the aggregate amount for each department as follows:

APPROPRIATION FOR THE YEAR 1996

GENERAL FUND

Legislative Branch	\$3,474,942
Municipal Court	19,414,201
Executive Branch	
Office of the Mayor	1,686,991
Department of Public Safety	226,113,748
Community Relations Board	728,278
Department of Public Service	30,734,641
Department of Parks, Recreation & Properties	34,343,778
Boxing & Wrestling Commission	8,415
Urban Planning & Development	9,994,599
Department of Public Health	10,629,197
Department of Aging	252,903
Support Functions	27,371,652
Transfers to Other Funds	\$26,257,191
<b>TOTAL EXECUTIVE BRANCH</b>	<b>\$368,121,393</b>
<b>TOTAL GENERAL FUND</b>	<b>\$391,010,536</b>

Special Revenue Funds		\$53,572,333
Internal Service Funds		22,883,664
Enterprise Funds		378,749,644
Trust and Agency Funds		5,633,892
Debt Service Funds		<u>44,142,043</u>

TOTAL APPROPRIATIONS FOR 1996		\$895,992,112
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## GENERAL GOVERNMENT

## LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$3,474,942
I. Personnel and Related Expenses	\$2,314,442	
II. Other Expenses	1,160,500	

## MUNICIPAL COURT

MUNICIPAL COURT-JUDICIAL DIVISION		\$11,607,841
I. Personnel and Related Expenses	\$10,138,564	
II. Other Expenses	1,469,277	

MUNICIPAL COURT-HOUSING DIVISION		1,447,794
I. Personnel and Related Expenses	1,394,777	
II. Other Expenses	53,017	

MUNICIPAL COURT-CLERK'S DIVISION		6,358,566
I. Personnel and Related Expenses	4,849,313	
II. Other Expenses	1,509,253	

TOTAL MUNICIPAL COURT	\$19,414,201	\$19,414,201
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## EXECUTIVE BRANCH

OFFICE OF THE MAYOR		\$1,686,991
I. Personnel and Related Expenses	\$1,461,057	
II. Other Expenses	225,934	

## DEPARTMENT OF PUBLIC SAFETY

PUBLIC SAFETY ADMINISTRATION		\$10,591,113
I. Personnel and Related Expenses	\$9,824,815	
II. Other Expenses	766,298	

DIVISION OF POLICE		135,402,198
I. Personnel and Related Expenses	125,887,719	
II. Other Expenses	9,514,479	

DIVISION OF FIRE		64,323,042
I. Personnel and Related Expenses	61,945,353	
II. Other Expenses	2,377,689	

DIVISION OF EMERGENCY MEDICAL SERVICES		11,922,074
I. Personnel and Related Expenses	11,105,871	
II. Other Expenses	816,203	

DIVISION OF TRAFFIC ENGINEERING		3,233,856
I. Personnel and Related Expenses	2,455,268	
II. Other Expenses	778,588	

DIVISION OF DOG POUND		641,465
I. Personnel and Related Expenses	509,200	
II. Other Expenses	132,265	

TOTAL DEPARTMENT OF PUBLIC SAFETY	\$226,113,748	\$226,113,748
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COMMUNITY RELATIONS BOARD		\$728,278
I. Personnel and Related Expenses	\$669,298	
II. Other Expenses	58,980	

## DEPARTMENT OF PUBLIC SERVICE

PUBLIC SERVICE ADMINISTRATION		\$289,217
I. Personnel and Related Expenses	\$277,549	
II. Other Expenses	11,668	

DIVISION OF ARCHITECTURE		607,762
I. Personnel and Related Expenses	552,194	
II. Other Expenses	55,568	
DIVISION OF WASTE COLLECTION & DISPOSAL		25,200,994
I. Personnel and Related Expenses	15,744,964	
II. Other Expenses	9,456,030	
DIVISION OF ENGINEERING AND CONSTRUCTION		4,636,668
I. Personnel and Related Expenses	4,130,335	
II. Other Expenses	506,333	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$30,734,641	\$30,734,641
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$685,856
I. Personnel and Related Expenses	\$521,287	
II. Other Expenses	164,569	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		707,611
I. Personnel and Related Expenses	623,188	
II. Other Expenses	84,423	
DIVISION OF RECREATION		9,281,905
I. Personnel and Related Expenses	6,949,296	
II. Other Expenses	2,332,609	
DIVISION OF ON STREET PARKING		1,010,916
I. Personnel and Related Expenses	975,116	
II. Other Expenses	35,800	
DIVISION OF PROPERTY MANAGEMENT		10,026,144
I. Personnel and Related Expenses	7,871,598	
II. Other Expenses	2,154,546	
DIVISION OF PARK MAINTENANCE & PROPERTIES		12,631,346
I. Personnel and Related Expenses	9,576,735	
II. Other Expenses	3,054,611	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$34,343,778	\$34,343,778
BOXING AND WRESTLING COMMISSION		8,415
I. Personnel and Related Expenses	8,265	
II. Other Expenses	150	
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIVISION OF ADMINISTRATIVE SERVICES		\$82,642
I. Personnel and Related Expenses	\$82,642	
DIVISION OF BUILDING & HOUSING		5,833,350
I. Personnel and Related Expenses	5,128,853	
II. Other Expenses	704,497	
DIRECTOR'S OFFICE		97,604
I. Personnel and Related Expenses	97,604	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		494,409
I. Personnel and Related Expenses	244,409	
II. Other Expenses	250,000	
DIVISION OF NEIGHBORHOOD SERVICES		75,996
I. Personnel and Related Expenses	75,996	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$6,584,001	\$6,584,001
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$89,205
I. Personnel and Related Expenses	\$77,243	
II. Other Expenses	11,962	

BOARD OF BUILDING STANDARDS & APPEALS		110,642
I. Personnel and Related Expenses	96,422	
II. Other Expenses	14,220	
BOARD OF ZONING APPEALS		245,696
I. Personnel and Related Expenses	225,805	
II. Other Expenses	19,891	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		81,486
I. Personnel and Related Expenses	77,921	
II. Other Expenses	3,565	
FAIR CAMPAIGN FINANCE COMMISSION		10,000
II. Other Expenses	10,000	
TOTAL REGULATORY BOARDS	\$537,029	\$537,029

DEPARTMENT OF ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT ADMINISTRATION		\$1,190,569
I. Personnel and Related Expenses	\$1,151,010	
II. Other Expenses	39,559	
TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT	\$1,190,569	\$1,190,569
OFFICE OF EQUAL OPPORTUNITY		\$474,082
I. Personnel and Related Expenses	\$386,969	
II. Other Expenses	87,113	
CITY PLANNING COMMISSION		\$1,152,378
I. Personnel and Related Expenses	\$1,091,336	
II. Other Expenses	61,042	
DIVISION OF HARBORS		\$56,540
I. Personnel and Related Expenses	\$56,540	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$9,994,599	\$9,994,599

DEPARTMENT OF PUBLIC HEALTH

PUBLIC HEALTH AND WELFARE ADMINISTRATION		\$288,789
I. Personnel and Related Expenses	\$167,067	
II. Other Expenses	121,722	
DIVISION OF CORRECTION		5,257,912
I. Personnel and Related Expenses	4,149,930	
II. Other Expenses	1,107,982	
PUBLIC HEALTH		\$2,887,120
I. Personnel and Related Expenses	\$2,300,671	
II. Other Expenses	586,449	
DIVISION OF THE ENVIRONMENT		2,195,376
I. Personnel and Related Expenses	1,962,184	
II. Other Expenses	233,192	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$10,629,197	\$10,629,197

DEPARTMENT OF AGING

DEPARTMENT OF AGING		\$252,903
I. Personnel and Related Expenses	\$199,336	
II. Other Expenses	53,567	
TOTAL DEPARTMENT OF AGING	\$252,903	\$252,903

SUPPORT FUNCTIONS

FINANCIAL AND LEGAL ADMINISTRATION

DEPARTMENT OF FINANCE

FINANCE ADMINISTRATION		\$289,820
I. Personnel and Related Expenses	\$238,970	
II. Other Expenses	50,850	

DIVISION OF ACCOUNTS		1,043,513
I. Personnel and Related Expenses	706,678	
II. Other Expenses	336,835	
DIVISION OF ASSESSMENTS & LICENSES		928,013
I. Personnel and Related Expenses	776,308	
II. Other Expenses	151,705	
DIVISION OF TREASURY		414,232
I. Personnel and Related Expenses	346,449	
II. Other Expenses	67,783	
DIVISION OF PURCHASES & SUPPLIES		649,857
I. Personnel and Related Expenses	551,889	
II. Other Expenses	97,968	
BUREAU OF INTERNAL AUDIT		400,107
I. Personnel and Related Expenses	170,117	
II. Other Expenses	229,990	
DIVISION OF FINANCIAL REPORTING AND CONTROL		951,840
I. Personnel and Related Expenses	851,440	
II. Other Expenses	100,400	
TOTAL DEPARTMENT OF FINANCE	\$4,667,382	\$4,667,382
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$444,632
I. Personnel and Related Expenses	\$422,057	
II. Other Expenses	22,575	
DEPARTMENT OF LAW		\$6,758,992
I. Personnel and Related Expenses	\$4,722,870	
II. Other Expenses	2,036,122	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$11,881,006	\$11,881,006
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$1,235,065
I. Personnel and Related Expenses	\$944,745	
II. Other Expenses	290,320	
CIVIL SERVICE COMMISSION		1,011,340
I. Personnel and Related Expenses	646,006	
II. Other Expenses	365,334	
TOTAL PERSONNEL ADMINISTRATION	\$2,246,405	\$2,246,405
NON DEPARTMENTAL		
COUNTY AUDITOR DEDUCTIONS		\$857,000
II. Other Expenses	\$857,000	
OTHER ADMINISTRATIVE		12,387,241
II. Other Expenses	12,387,241	
TOTAL NON DEPARTMENTAL	\$13,244,241	\$13,244,241
TOTAL SUPPORT FUNCTIONS	\$27,371,652	\$27,371,652
TRANSFERS TO OTHER FUNDS		\$26,257,191
II. Other Expenses	\$26,257,191	
TOTAL GENERAL FUND	\$391,010,536	\$391,010,536
SPECIAL REVENUE FUNDS		
RESTRICTED INCOME TAX FUND		\$27,697,867
I. Capital	\$15,897,867	
II. Debt Service	11,800,000	
STREET CONSTRUCTION, MAINTENANCE & REPAIR FUND		23,874,466
I. Personnel and Related Expenses	12,677,057	
II. Other Expenses	11,197,409	



SCHOOLS RECREATION & CULTURAL ACTIVITIES FUND		2,000,000
II. Other Expenses	2,000,000	
TOTAL SPECIAL REVENUE FUNDS	\$53,572,333	\$53,572,333

## INTERNAL SERVICE FUNDS

INFORMATION SYSTEMS SERVICES-TELEPHONE EXCHANGE		\$4,225,278
I. Personnel and Related Expenses	\$340,994	
II. Other Expenses	3,884,284	
INFORMATION SYSTEMS SERVICES		3,110,587
I. Personnel and Related Expenses	1,559,981	
II. Other Expenses	1,550,606	
DIVISION OF MOTOR VEHICLE MAINTENANCE		13,621,926
I. Personnel and Related Expenses	4,326,864	
II. Other Expenses	9,295,062	
DIVISION OF PRINTING AND REPRODUCTION		823,065
I. Personnel and Related Expenses	524,694	
II. Other Expenses	298,371	
CITY STOREROOM AND CENTRAL WAREHOUSE		1,102,808
I. Personnel and Related Expenses	94,808	
II. Other Expenses	1,008,000	
TOTAL INTERNAL SERVICE FUNDS	\$22,883,664	\$22,883,664

## ENTERPRISE FUNDS

## DEPARTMENT OF PUBLIC UTILITIES

UTILITIES ADMINISTRATION		\$944,619
I. Personnel and Related Expenses	\$736,462	
II. Other Expenses	208,157	
UTILITIES FISCAL CONTROL		1,615,080
I. Personnel and Related Expenses	1,479,011	
II. Other Expenses	136,069	
DIVISION OF WATER		169,465,250
I. Personnel and Related Expenses	62,229,605	
II. Other Expenses	107,235,645	
DIVISION OF WATER POLLUTION CONTROL		17,227,809
I. Personnel and Related Expenses	7,053,890	
II. Other Expenses	10,173,919	
DIVISION OF CLEVELAND PUBLIC POWER		112,949,523
I. Personnel and Related Expenses	22,611,270	
II. Other Expenses	90,338,253	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$302,202,281	\$302,202,281

## DEPARTMENT OF PORT CONTROL

DIVISIONS OF CLEVELAND HOPKINS & BURKE LAKEFRONT AIRPORTS-OPERATIONS		\$54,624,240
I. Personnel and Related Expenses	\$15,550,812	
II. Other Expenses	39,073,428	
AIRPORT DEVELOPMENT FUND		850,000
II. Other Expenses	850,000	
TOTAL DEPARTMENT OF PORT CONTROL	\$55,474,240	\$55,474,240

## DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

DIVISION OF CEMETERIES		\$1,870,901
I. Personnel and Related Expenses	\$1,534,211	
II. Other Expenses	336,690	
GOLF COURSE FUND		1,799,630
I. Personnel and Related Expenses	905,365	
II. Other Expenses	894,265	

DIVISION OF PARKING FACILITIES-OFF STREET PARKING		10,023,875
I. Personnel and Related Expenses	823,973	
II. Other Expenses	9,199,902	
DIVISION OF CONVENTION CENTER & STADIUM-CONVENTION CENTER		6,078,658
I. Personnel and Related Expenses	2,061,028	
II. Other Expenses	4,017,630	
DIVISION OF CONVENTION CENTER & STADIUM-MARKET		1,115,771
I. Personnel and Related Expenses	378,699	
II. Other Expenses	737,072	
DIVISION OF PROPERTY MANAGEMENT-EAST SIDE MARKET		184,288
I. Personnel and Related Expenses	64,792	
II. Other Expenses	119,496	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$21,073,123	\$21,073,123
TOTAL ENTERPRISE FUNDS	\$378,749,644	\$378,749,644
AGENCY FUND		
CENTRAL COLLECTION AGENCY		\$5,633,892
I. Personnel and Related Expenses	\$3,700,952	
II. Other Expenses	1,932,940	
TOTAL AGENCY FUND	\$5,633,892	\$5,633,892
DEBT SERVICE FUND		
SINKING FUND COMMISSION		\$44,142,043
I. Personnel and Related Expenses	\$79,968	
II. Other Expenses	350,950	
III. Debt Service	43,711,125	
TOTAL DEBT SERVICE FUND	\$44,142,043	\$44,142,043

**Section 2.** That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate File No. 208-96-A, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 1995 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 1996 or prior years. The Mayor's Estimate File No. 208-96-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 1996 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

**Section 3.** That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 210-96.  
By Councilmen Smith, Rybka and Rokakis (by departmental request).**

**An emergency ordinance approving certain amendments to the West 25th-Lorain Community Development Plan for the Bridge/Carroll Plan Area and for the Bridge/Carroll Action Area therein.**

Whereas, the Council of the City of Cleveland by Ordinance No. 1037-93, passed June 14, 1993, approved the West 25th-Lorain Community Development Plan dated May, 1993 (the "Plan") for the Plan Area designated and described in the Plan, and which Community Development Plan included an area designated therein as the Bridge/Carroll Action Area (the "Action Area"), and which Plan contemplated certain activities

and treatment for the elimination of conditions of blight and deterioration and for the recurrence thereof with the Plan Area; and

Whereas, amendments to such Plan have been prepared including those which alter the use of certain properties within the Action Area, the reflection of a proposal to develop a supermarket and accessory parking for the rehabilitation of the Merrell Building for apartments, and the City Planning Commission has approved such Plan Amendments; and

Whereas, the proposed Plan Amendments contemplate specific measures to eliminate conditions of blight and deterioration from the Action Area by providing for the redevelopment of structures and

property in the Action Area pursuant to Community Development Plan standards; and

Whereas, for the foregoing reasons, Council has determined that the Community Development Plan for the Action Area, and the implementation of the measures therein set forth will be in the best interests of the citizens of the City, will best fulfill the public purposes of the Plan and will provide for the general health, safety and welfare of the City; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public property, health, and safety in that approval of the amendments to the Plan are necessary in order that steps can be

immediately undertaken to eliminate conditions of blight and deterioration of the Plan Area and to prevent the recurrence of blight; now, therefore,

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

**Section 1.** That this Council hereby finds that the public actions and policies proposed and contemplated by the amendments to the West 25th-Lorain Community Development Plan (the "Plan") are necessary and appropriate in order to eliminate the conditions of blight and deterioration, and prevent the recurrence thereof in the Plan Area; and it is hereby found and determined that the Plan, as amended as set forth herein, File No. 1037-93-A, conforms to and is in compliance with the applicable provisions of the Codified Ordinances of the City of Cleveland.

**Section 2.** That it is hereby found and determined that the Plan will afford maximum opportunity consistent with the sound needs of the City as a whole for the redevelopment of the Plan Area and the Action Area by private enterprise; that the Plan gives due consideration to the provision of adequate open space, park and recreational areas appropriate to the area and that the Plan is in conformity with the general Plan of the City and the workable program for community improvements of the City.

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 235-96.**

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

**An emergency ordinance authorizing and directing the purchase by requirement contract of guard rail elements, posts, end wings, bolts and washers, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of guard rail elements, posts, end wings, bolts and washers in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desir-

able by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21305)

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 236-96.**

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

**An emergency ordinance authorizing and directing the purchase by requirement contract of gutter brooms and gutter broom sets, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of gutter brooms and gutter broom sets in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21308)

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 237-96.**

**By Councilman Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of plow blades and curb bumpers, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of plow blades and curb bumpers in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21302)

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 238-96.**

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

**An emergency ordinance authorizing and directing the purchase by requirement contract of traffic cones and safety drums, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of traffic cones and safety drums in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Street, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21306)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 239-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of the rental of large capacity trucks and operators, for the Division of Streets, Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of the rental of large capacity trucks with operators in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Streets, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable

by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21303)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 240-96.**  
**By Councilmen Coats and Rokakis (by departmental request).**

**An emergency ordinance authorizing and directing the purchase by requirement contract of rock salt, for the Division of Streets, Department of Public Service.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21307)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 241-96.**  
**By Councilmen Jackson, Rybka and Rokakis (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development to enter into a contract with SCOVEN, LTD., or its designee, to provide economic development assistance to partially finance the expansion of a manufacturing facility, including office space, located at 4310 Carnegie Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with SCOVEN, LTD., or its designee, to provide economic development assistance to partially finance the expansion of a manufacturing facility, including office space at its existing facility located at 4310 Carnegie Avenue, Cleveland, Ohio.

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

**Section 3.** That the costs of said contract shall not exceed Three Million Eight Hundred Thousand Dollars (\$3,800,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request. No. 22398.

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

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

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

**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. Said contract shall include terms such that the failure of Scoven, Ltd. and/or Encore Manufacturing Corp. to remain in compliance with applicable Federal and State law regarding the formation of collective bargaining units and/or union representation shall constitute a breach of said contract.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 242-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Port Control to enter into contract without competitive bidding with Property and Lease Management Systems for the purchase of labor and materials needed to install a system to maintain and manage leases and contracts for the various divisions of the Department of Port Control.**

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

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

**Section 1.** That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Property and Lease Management Systems ("PALMS"). Therefore, the Director of Port Control is hereby authorized and directed to make a written contract with said PALMS upon the basis of its proposal dated May 2, 1995, for the labor and materials needed to install a system to maintain and manage leases and contracts, to be purchased by the Commissioner of Purchases and Supplies for a gross price for the various divisions of the Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 20826.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 243-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of an identification badge management system, for the various divisions of the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: a computerized/electronic identification badge management system, to be purchased by the Commissioner of Purchases and Supplies for a gross

price for the various divisions of the Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 20824.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 244-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by contract of not to exceed two portable light towers, for the various divisions of the Department of Port Control.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: not to exceed two (2) portable light towers used for emergency illumination, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the Department of Port Control.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 60 SF 001, Request No. 20810.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 245-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to calibrate and/or replace existing electric meters, for the Various Divisions of the Department of Port Control, for a period not to exceed two years.**

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

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

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

of labor and materials needed to calibrate and/or replace existing electric meters on the airfield and surrounding premises 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 the Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20825)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 250-96.**  
**By Councilmen Polensek and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Public Safety to enter into a requirement contract without competitive bidding with Eagle International for the purchase of replacement parts and labor for International trucks in order for such equipment to remain under warranty, for the Divisions of Fire and Emergency Medical Services, Department of Public Safety, for a two year period**

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

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

**Section 1.** That it is hereby determined that the within services are non-competitive and cannot be secured from any source other than Eagle International. Therefore, the Director of Public Safety be and he hereby is authorized and directed to make a written requirement contract for the period of two years with said Eagle International for replacement parts and labor for International trucks being used by the Division of Fire and Emergency Medical Services in order for such equipment to remain under warranty, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Fire and Emergency Medical Services, Department of Public Safety.

**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 21147)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 252-96.**  
**By Councilmen Polensek and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Secretary of the Civil Service Commission to enter into contract with Barrett and Associates, Inc. to administer, grade and prepare final eligible list for police promotional positions in the Division of Police, Department of Public Safety.**

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation

of a municipal department; now, therefore,

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

**Section 1.** That the Secretary of the Civil Service Commission is hereby authorized and directed to enter into contract with Barrett and Associates, Inc. for professional services necessary to administer, grade and prepare final eligible list for police promotional positions in the Division of Police, Department of Public Safety, on the basis of his proposal dated January 11, 1996, in the total sum of \$131,977.00, payable from Fund No. 01-01-08-0320, Request No. 20339, for the Civil Service Commission.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 253-96.**  
**By Councilmen Polensek and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Secretary of the Civil Service Commission to enter into contract with Norman D.**

**Henderson, Ph.D. to administer, grade and prepare final eligible list for patrol officer positions in the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Secretary of the Civil Service Commission is hereby authorized and directed to enter into contract with Norman D. Henderson, Ph.D. for professional services necessary to administer, grade and prepare final eligible list for patrol officer positions in the Division of Police, Department of Public Safety, on the basis of his proposal dated January 11, 1996, in the total sum of \$94,600.00, payable from Fund No. 01-01-08-0320, Request No. 20338, for the Civil Service Commission.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 308-96.**  
**By Councilmen Johnson, McGuirk and Rokakis (by departmental request).**  
**An emergency ordinance to amend Section 133.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1451-95, passed August 23, 1995, relating to parking fees.**

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

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

**Section 1.** That Section 133.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1451-95, passed August 23, 1995, is hereby amended to read as follows:

**Section 133.33 Parking Fees.**

(a) The Commissioner of Parking Facilities shall cause to be collected fees and charges at the following parking facilities in accordance with the following schedule:

(1) **Willard Park Garage:**

In divisions (a)(1)A. through (a)(1)F., the rate listed is effective upon the reopening of Willard Park Garage after completion of the improvements.

A.	First hour or portion thereof	\$2.08
B.	Each additional half hour or portion thereof	1.16
C.	Daily maximum rate from 6 A.M. to 11:00 p.m.	8.10
D.	Additional overnight charge from 11:00 p.m. to 6 A.M.	8.10
E.	General monthly rate	143.52
F.	Special monthly rate for City employees	
	1. for not more than 75 City employees, with preference given to employees with the lowest salary. under the authority of the Director of Parks, Recreation and Properties	\$74.07.
	2. for not more than 175 City employees, with preference given to employees with the lowest salary, under the authority of the Director of Parks, Recreation and Properties	\$92.59.
	City employees)	74.07
	(for not more than 100 City employees, with preference given to employees with the lowest salary, under the authority of the Director of Parks, Recreation and Properties)	
G.	Special events (flat rate - pay enter)	up to 10.00
H.	Charge for lost or stolen key card	50.00
I.	Returned check charge	15.00
J.	Late payment charge	5.00
K.	Group Monthly Rate — 150 cars or more	129.63
L.	Group Monthly Rate — 100 cars to 149 cars	134.26

M.	Group Monthly Rate — 75 cars to 99 cars	138.89
N.	Early Bird Rate — (time to be determined by the Director of Parks, Recreation and Properties	up to 8.00
<b>(2) Cleveland Convention Center Garage:</b>		
A.	First hour or portion thereof	2.08
B.	Each additional half hour or portion thereof	1.16
C.	Daily maximum rate from 6 A.M. to 11:00 p.m.	7.18
D.	Additional overnight charge from 11:00 p.m. to 6 A.M.	7.18
E.	General monthly rate (the number of key cards may be limited at the discretion of the Commissioners of the Convention Center and Parking Facilities)	120.37
F.	Special events (flat rate - pay enter)	up to 10.00
G.	Charge for lost or stolen key card	50.00
H.	Returned check charge	15.00
I.	Late payment charge	5.00
J.	Early Bird Rate — (time to be determined by the Director of Parks, Recreation and Properties	up to 8.00
<b>(3) Canal Basin Lot:</b>		
A.	Daily rate from 6 A.M. to 6:00 P.M. (flat rate - pay enter)	up to 1.85
B.	General monthly rate (weekdays between 6 A.M. and 6 P.M.)	37.04
C.	Special events, weekdays between 6:00 P.M. and 6 A.M., weekends and holidays (flat rate - pay enter)	up to 10.00
D.	Returned check charge	15.00
E.	Late payment charge	5.00
F.	Charge for lost or stolen key card	50.00
<b>(4) North Coast Municipal Parking Lot:</b>		
A.	Daily rate (flat rate - pay enter)	up to 2.08
B.	City of Cleveland employees	no charge
C.	General monthly rate	up to 41.67
D.	Special events (flat rate - pay enter)	up to 10.00
E.	Charge for lost or stolen key card	50.00
F.	Returned check charge	15.00
G.	Late payment charge	5.00
<b>(5) North Mall Lot:</b>		
A.	First hour or portion thereof	2.08
B.	Each additional hour	2.08
C.	Maximum rate	12.04
D.	Special event rate (flat rate - pay enter)	up to 10.00

(b) Wherever the schedule contained in division (a) of this section specifies a maximum fee, the fee to be charged shall be fixed by the Commissioner of Parking Facilities with the consent of the Director of Parks, Recreation and Properties up to the maximum specified.

(c) Monthly rate customer parking privileges at Willard Park Garage, Cleveland Convention Center Garage, Canal Basin Lot and North Coast Municipal Parking Lot do not include entry to these garages and lots for special events held on weekends, holidays or after 6 P.M. on weekdays.

(d) Fees collected from the Willard Park Garage, Canal Basin Lot, North Coast Municipal Parking Lot, and North Mall Lot at shall be credited to the Division of Parking Facilities Enterprise Fund for general operations. Fees collected from the Convention Center Garage shall be credited to the Convention Center Enterprise Fund for general operations.

(e) The Commissioner of Parking Facilities is authorized to enter into an agreement with the Commissioner of the Convention Center for the operations, management and collection of parking fees at the Convention Center Garage.

(f) The Commissioner of Parking Facilities shall fix and collect such fees and charges as the Commissioner shall determine at parking facilities not identified in division (a) of this section but under the Commissioner's control until such time as the Council and the Board of Control fix fee schedules for such parking facilities.

(g) Notwithstanding any provision in this section to the contrary, the Commissioner of Parking Facilities shall: (1) Designate ten (10) parking spaces in Willard Garage located as close as practical to the entrance to City Hall to be assigned by the Director of Parks, Recreation and Properties to City employees with the greatest number of years seniority as a City employee:

(2) Designate at least ten (10) parking spaces located either in the North Mall Lot or in Willard Garage for City employees to park their vehicles at no cost for a maximum of forty-five (45) minutes when required by their jobs to visit City Hall for a short period of time during the work day; and

(3) Designate a sufficient number of parking spaces located either in the North Mall Lot or in Willard Garage for City employees who are employed to clean City Hall and who commence work at 3:00 p.m. or later and work later than the closing of Willard Garage.

**Section 2.** That existing Section 133.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1451-95, passed August 23, 1995, is hereby repealed.

**Section 3.** That, on or before April 1st of each year, the Council shall review the parking rates fixed pursuant to this ordinance.

**Section 4.** That, by August 1, 1996, the Director of Parks, Recreation and Properties shall study the feasibility of washing vehicles at Willard Garage for a fee, with the proceeds to be used to fund City recreation programs, and report the results of the study to the Council at the August Council meeting.

**Section 5.** That, on or before September 1, 1997, the Director of Parks, Recreation and Properties shall submit to the Council for its consideration a written assessment of whether the North Mall Lot shall continue to operate as a public parking lot or be returned to public park land.

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 309-96.**  
**By Councilmen Johnson and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to accept gift of approximately two thousand tee shirts and caps from the Cleveland Indian Charities, for the Division of Recreation, Department of Parks, Recreation and Properties.**

Whereas, the Cleveland Indian Charities has indicated a desire to make a gift of approximately two thousand tee shirts and caps, valued at \$20,000, to the Division of Recreation, Department of Parks, Recreation and Properties; and

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is hereby authorized to accept, on behalf of the Division of Recreation, approximately two thousand caps and tee shirts, valued at \$20,000, from the Cleveland Indians Charities.

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 320-96.**  
**By Councilman Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the Director of Finance to enter into contracts with Blue Cross Blue Shield of Ohio, Medical Life Insurance Company, HMO Health Ohio, Kaiser Permanente, Aetna Health Plans of Northern Ohio and Personal Physician Care, Inc. to provide medical and life insurance coverage for City employees; and to enter into contract with a joint venture to provide dental insurance for City employees.**

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

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

**Section 1.** That notwithstanding any 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 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 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 Select point of service style health 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 3.** 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 Medical Life Insurance Company to provide group life insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1996, and to provide Section 125 Premium Pass Through services, on the basis of its proposal dated January 4, 1996.

**Section 4.** 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 HMO Health Ohio to provide health maintenance organization-style health 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 5.** 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 Kaiser Permanente to provide health maintenance organization-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1996, on the basis of its proposal dated January 29, 1996.

**Section 6.** 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 Aetna Health Plans of Northern Ohio to provide health maintenance organization-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1996, on the basis of its proposal dated January 15, 1996.

**Section 7.** 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 Personal Physician Care, Inc., to provide health maintenance organization-style health insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1996, on the basis of its proposal dated June 9, 1995.

**Section 8.** That notwithstanding any Codified Ordinance of Cleve-

land, Ohio, 1976, to the contrary, the Director of Finance is hereby authorized and directed to employ by contract an insurance agency, on a joint venture basis, which joint venture shall include at least one minority insurance agency, to provide group dental insurance coverage for City of Cleveland employees for a one year term commencing April 1, 1996. The selection of said insurance agency for such services shall be made by the Director of Finance after a full and complete canvass.

**Section 9.** 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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 350-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of work uniforms for the various divisions of the Department of Port Control, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of work uniforms 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 Department of Port Control. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent



purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20829)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 351-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance determining the method of making the public improvement of repairing or rehabilitating roofs for the various divisions of the Department of Port Control and authorizing the Director of Port Control to enter into contract for the making of such improvement.**

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

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

**Section 1.** That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of repairing or rehabilitating roofs for the various divisions of the Department of Port Control, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

**Section 2.** That the Director of Port Control is hereby authorized and directed to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price. Upon request of said director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of said improvement.

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund Nos. 60 SF 101, 60 SF 102, 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 210, 60 SF 001, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above improvement and the proceeds from the sale of any airport revenue bonds issued for a purpose which included the above improvement, Request No. 20830.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 352-96.**  
**By Councilmen Miller and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Port Control to apply for and accept a grant from the United States of America acting through the Federal Aviation Administration for reconstruction of the West Concourse apron at Cleveland Hopkins Airport.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to apply for and accept a grant for reconstruction of the West Concourse apron at Cleveland Hopkins International Airport from the United States of America acting through the Federal Aviation Administration ("FAA") to conduct projects under the Airport and Airway Improvement Act Program of 1982, as amended. That said Director is further authorized to file all papers and execute all documents necessary to apply for, accept and receive funds under said grant; that the City shall follow all applicable federal regulations, including the DBE Program required by the FAA; and that the grant funds be and are appropriated for the purposes set forth in the applications for said grant, or any amendments thereto, provided that no funds may be expended unless the project or purpose has first been specifically authorized by an ordinance of City Council.

**Section 2.** That such grant shall be in the total approximate amount of Two Million Seven Thousand One Hundred Twenty Two Dollars (\$2,007,122.00) and that the City of Cleveland shall be obligated to provide cash match funds in an amount not to exceed Six Hundred Sixty-Nine Thousand Forty Dollars (\$669,040.00), which amount may be increased by the same percentage as the United States of America may increase the grant amount. Such amounts shall be paid from Fund Nos. 60 SF 104, 60 SF 105, 60 SF 106, 60 SF 110, 60 SF 112, 60 SF 115, 60 SF 116, 60 SF 117, and future revenue bonds, federal grant money and PFC authorization.

**Section 3.** That the Clerk of Council is hereby authorized and directed to prepare three certified copies of this ordinance to be furnished to the Federal Aviation Administration with the executed grant agreement.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 353-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance to amend Section 1 of Ordinance No. 937-95, relating to various amendments to contracts for Training Services For The Disadvantaged and Employment and Training Assistance For Dislocated Workers.**

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 1 of Ordinance No. 937-95, passed June 19, 1995, is hereby amended to read as follows:

Section 1. That, in order to provide for uninterrupted services to eligible participants, the Director of Personnel and Human Resources is hereby authorized as follows:

1. to enter into a First Amendment to agreement with ITT Federal Services Corp./ITT Employment and Training Systems, Inc., City Contract No. 48126 to appropriate an additional \$234,000.00 for Central Intake and Case Management Services;

2. to enter into a First Amendment to agreement with Towards Employment, Inc., City Contract No. 48127 to appropriate an additional \$198,420.00 for delivery of Central Supportive Services;

3. to enter into a Second Amendment to agreement with the United Labor Agency, City Contract No. 47910 to appropriate an additional \$222,000.00 for Basic Readjustment and Retraining Services; and

4. to enter into a First Amendment to agreement with Cuyahoga Community College, to appropriate an additional \$18,335.00 for Basic and Remedial Education Services and GED Preparation Training.

**Section 2.** That existing Section 1 of Ordinance No. 937-95, passed June 19, 1995, is hereby repealed.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 354-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance to amend the title, the first whereas clause and Section 3 of Ordinance No. 1702-95, passed November 20, 1995, relating to accepting an additional grant to extend the Youth Fair Chance National Program and for the Quantum Opportunities Project; and to enter into a second amendment to Contract No. 47909 with Youth Opportunities Unlimited.**

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

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

**Section 1.** That the title, the first whereas clause and Section 3 of

Ordinance No. 1702-95, passed November 20, 1995, is hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept an additional grant to extend the Youth Fair Chance National Program and for an additional Quantum Opportunities Project under Title IV Part H of the Job Training Partnership Act from the U.S. Department of Labor and to enter into a Second Amendment to City Contract No. 47909 with Youth Opportunities Unlimited to expend such additional funds.

Whereas, pursuant to Ordinance No. 1459-94, passed September 12, 1994, the Director of Personnel and Human Resources ("Director") accepted and received funds under a grant from the Youth Fair Chance National Program, JTPA Title IV Part H, in the amount of \$2,461,936.00 entered into an agreement with Youth Opportunities Unlimited, City Contract No. 47909 ("Agreement") in the amount of \$2,461,936.00; and

Section 3. That the Director of Personnel and Human Resources is further authorized to enter into a Second Amendment to City Contract No. 47909, with Youth Opportunities Unlimited in the amount of \$805,000.00, for extension of the YFC program and the addition of a Quantum Opportunities Project.

**Section 2.** That the existing title, the first whereas clause and Section 3 of Ordinance No. 1702-95, passed November 20, 1995, is hereby repealed.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 356-96.**

**By Councilmen Patmon and Rokakis (by departmental request).**  
An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for Training Services For The Disadvantaged under the Job Training Partnership Act.

Whereas, the Job Training Partnership Act of 1982, Public Law 97-300, as amended by the Job Training Reform Amendments of 1992, Public Law 102-367 ("JTPA"), is a New Federalism program, the purpose of which to "... establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation"; and

Whereas, the United States Department of Labor has allotted JTPA funds to the Ohio Bureau of Employment Services ("OBES") which in turn has issued allocations under JTPA Titles II and III to the City of Cleveland, which has developed its annual job training and substate plan modification with

OBES for Program Year 95, for the period July 1, 1995 to June 30, 1996; and Ordinance No. 768-95, passed June 12, 1995 by the Council of the City of Cleveland authorizes the Director of Personnel and Human Resources to accept such allocations;

Whereas, the Director of Personnel and Human Resources to enter into several contracts with various service deliverers; 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 Personnel and Human Resources is hereby authorized to enter into contracts with the following service deliverers in amounts not to exceed those listed below for training pursuant to Nontraditional Employment for Women under The Adult Training Program, Title II Part A 77% and State Education Coordination and Grants, Title II Parts A and C 8%:

**for Occupational Skills Training:**

Cuyahoga Community College	\$100,000.00
Hard Hatted Women	\$100,000.00

**Section 2.** That the cost of the contracts in Section shall not exceed Two Hundred Thousand Dollars (\$200,000.00), and will be paid from Fund Nos. 15 SF 051 and 15 SF 056.

**Section 3.** That the Director of Personnel and Human Resources is hereby authorized to enter into contracts with the Greater Cleveland Neighborhood Centers Association under The Youth Training Program, Title II Page C 82% for training under the Youth Employment Competency System.

**Section 4.** That the cost of the contracts in Section 3 shall not exceed One Hundred Forty Thousand Dollars (\$140,000.00), and will be paid from Fund No. 15 SF 035.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 358-96**

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

An emergency ordinance to amend the title, the second whereas clause and Sections 1 and 2 of Ordinance No. 936-95, passed June 12, 1995, relating to an agreement between the City and Youth Opportunities Unlimited.

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

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

**Section 1.** That the title, the second whereas clause and Sections 1 and 2 of Ordinance No. 936-95, passed June 12, 1995, are hereby amended

to read, respectively, as follows:

An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into a First Amendment to Agreement No. 47909 between the City and Youth Opportunities Unlimited to reduce the amount of the agreement and to allocate funds for personnel and related expenses.

Whereas, pursuant to said ordinance, the Director entered into an agreement with Youth Opportunities Unlimited, City Contract No. 47909, in the amount of \$2,461,936.00; and

Section 1. That the Director of Personnel and Human Resources is hereby authorized to enter into a First Amendment to Agreement between the City and Youth Opportunities Unlimited, City Contract No. 47909 reducing the amount of the agreement to \$2,411,936.00. All other terms and conditions of Contract No. 47909 shall be and remain as in the original agreement.

Section 2. That the amount of \$50,000.00 from the JTPA Title IV, Part H grant, Fund No. 15 SF 047, remaining after the reduction to Contract No. 47909, shall be allocated for personnel and related expenses.

**Section 2.** That the existing title, the second whereas clause and Sections 1 and 2 of Ordinance No. 936-95, passed June 12, 1995, are hereby repealed.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 359-96.**

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

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a grant from the Ohio Department of Development to implement a High Unemployment Program and to authorize appropriations to provide for administration of such program.

Whereas, the Ohio Department of Development has made funds available for a High Unemployment Program ("HUP") through its Ohio Industrial Training Program, and intends to award a grant to the City of Cleveland for this purpose; 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 Personnel and Human Resources is hereby authorized to accept a grant from the Ohio Department of Development to implement a High Unemployment Program ("HUP") and for the delivery of allowable program services to eligible individuals, and to credit said grant to Fund No. 15 SF 059, in the amount of \$96,800.00. That the Director of Personnel and Human Resources is hereby authorized to file all papers and execute all documents necessary to accept and receive the funds under said grant.

**Section 2.** That the following sums

in Section 1 herein are hereby appropriated as follows to provide for administration of the HUP program:

Personnel and Related Expenses . . . . .	\$ 4,840.00
Other Expenses . . . . .	+91,960.00
TOTAL . . . . .	\$ 96,800.00

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 360-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into a contract with the Commission on Catholic Community Action.**

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

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

**Section 1.** That the Director of Personnel and Human Resources is hereby authorized to enter into a contract with the Commission on Catholic Community Action in the amount of One Hundred Ninety-Three Thousand Six Hundred Dollars (\$193,600.00). That said contract

amount represents the required matching funds from the Adult Training Program, JTPA Title II Part A 77%, in the sum of One Hundred One Thousand Six Hundred Forty Dollars (\$101,640.00).

**Section 2.** That the cost of said contract will be paid from Fund Nos. 15 SF 051 and 15 SF 059.

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 361-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into various contracts for the delivery of the Summer Youth Employment and Training Program, under the Job Training Partnership Act, after verification of fund availability from the State of Ohio.**

Whereas, the Job Training Partnership Act of 1982, Public Law 97-300, as amended by the Job Training Reform Amendments of 1992, Public Law 102-367 ("JTPA"), is a New Federalism program, the purpose of which to ". . . establish programs to prepare youth and adults facing serious barriers to employment for participation in the labor force by providing job training and other services that will result in increased employment and earnings, increased educational and occupational skills, and decreased welfare dependency, thereby improving the quality of the workforce and enhancing the productivity and competitiveness of the Nation"; and

Whereas, the purpose of the Summer Youth Employment and Training Program ("SYTEP") is "(1) to enhance the basic educational skills of youth; (2) to encourage school completion . . . (3) to provide eligible youth with exposure to the world of work; and (4) to enhance the citizenship of youth"; and

Whereas, the City of Cleveland has been designated by the Governor of the Ohio as Ohio Service Delivery Area ("SDA") No. 20 and the City of Cleveland serves as the Grant Recipient and Administrative entity for purposes of JTPA; and

Whereas, the SDA No. 20 Administrative Entity has reallocated other JTPA Program funds including the Youth Training Program allocations in order to operate a Summer Youth Employment and Training Program in Calendar Year 1996; and

Whereas, the Director of Personnel and Human Resources desires to enter into several contracts with various service deliverers; 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 Personnel and Human Resources, after formal verification of fund availability from the Ohio Bureau of Employment Service ("OBES"), is hereby authorized to enter into contracts with the following service delivers for the delivery of the Youth Training Program, Title II Part C 82% and the Summer Youth Employment and Training Program, Title II Part B:

(A) for Central Services:	
Board of Education of the Cleveland School District	\$1,714,205.00
Youth Opportunities Unlimited	150,000.00
(B) for Academic Enrichment Activities	
Board of Education of the Cleveland School District	164,000.00
Board of Education of the Cleveland School District	114,000.00
City of Cleveland Community Relations Board	13,250.00
City of Cleveland Department of Parks, Recreation and Properties Division of Recreation	11,428.00
Cleveland Public Theatre	45,000.00
The Phillis Wheatley Association	100,000.00

Urban League of Greater  
Cleveland

23,060.00

**Section 2.** That, if any Supplemental Allocations are allocated to the City and are accepted pursuant to an enabling ordinance, the Director of Personnel and Human Resources is authorized to modify the amounts to be paid to the service providers identified in Section 1 as necessary to effectively operate the program. The Director is authorized to amend any contracts authorized by Section 1 in order to modify these amounts upon formal verification of fund availability.

**Section 3.** That the cost of the contracts in Section 1 shall not exceed Two Million Four Hundred Fifty-Nine Thousand Nine Hundred Forty-Three Dollars (\$2,459,943.00), and will be paid from Fund Nos. 15 SF 035, 15 SF 045, 15 SF 055 and 15 SF 054.

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 363-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to clean and test insulators, bushings and lightning arrestors, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21496)

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 364-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed for interior and exterior motor vehicle body repair, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21497)

**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 April 1, 1996.

Effective April 10, 1996.

**Ord. No. 365-96.**  
**By Councilmen Patton and Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the purchase by requirement contract of labor and materials needed to inspect, test at high voltage levels and repair bucket and derrick trucks, for the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed two years.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of two years for the necessary items of labor and materials needed to inspect, test at high voltage levels and repair bucket and derrick trucks in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two years.

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

tified by the Director of Finance. (RL 21495)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 366-96.  
By Councilmen Patton and Rokakis (by departmental request).  
An emergency ordinance authorizing and directing the purchase by requirement contract of various billing forms and envelopes, for the Division of Cleveland Public Power, Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various billing forms and envelopes in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by sep-

arate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21498)

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 422-96.  
By Councilmen Miller and Rokakis (by departmental request).  
An emergency ordinance to supplement Ordinance No. 1093-95, passed June 19, 1995, by adding new Section 3 thereof, relating to an agreement with the United States for construction of a confined disposal facility at Burke Lakefront Airport; and to renumber existing Section 3 to new Section 4.**

Whereas, pursuant to Ordinance No. 1093-95, passed June 19, 1995, this Council authorized a commit-

ment by the City to make alterations and relocations of transportation systems, storm drains, sewer outfalls, utilities, and other relocations and alterations made necessary by the project; and

Whereas, no provision for funding was authorized by that ordinance; 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.** To supplement Ordinance No. 1093-95, passed June 19, 1995, by adding new Section 3 thereof to read as follows:

**Section 3.** That the funds for construction of any sewer extensions shall be paid from Fund No. 60 SF 114, Request No. 20844, and from any funds or subfunds to which are credited any federal grants or federal PFC authorization, for the above project and the proceeds from the sale of any airport revenue bonds issued for a purpose which includes the above project. The Director of Port Control is further authorized to establish an escrow account for these funds, if necessary.

**Section 2.** That existing Section 3 of Ordinance No. 1093-95, passed June 19, 1995, is hereby renumbered to new "Section 4".

**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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 486-96.  
By Councilman Rokakis (by departmental request).  
An emergency ordinance establishing salary and wage schedules for various classifications, effective as of April 1, 1996, and repealing existing Ordinance No. 2114-95, passed November 27, 1995, as amended.**

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

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

**Section 1.** That this ordinance shall be known as the "General Salary Ordinance." Further, that except as otherwise herein provided, the schedules of compensation set forth in Sections 2 to 48, inclusive, hereof shall be effective as of April 1, 1996.

**Section 2.** Secretary to the Mayor, Directors of Departments, Planning Director, Executive Director Community Relations Board, four Executive Assistants to the Mayor.

(a) That the salary of the Secretary to the Mayor, the Directors of Law, Finance, Public Utilities, Port Control, Economic Development, Public Safety, Public Health, Parks, Recreation and Properties, and Public Service, and four (4) Executive Assistants to the Mayor shall be fixed by the Mayor at not less than \$49,078.05 and not more than \$104,207.96 per annum.

(b) That the salary of the Planning Director and the Director of Community Development shall be fixed by the Mayor at not less than \$42,491.40 and not more than \$99,246.25 per annum.

(c) That the salary of the Directors of Personnel and Human Resources and Aging and the Executive Director of the Community Relations Board shall be fixed by the Mayor at not less than \$40,132.05 and not more than \$85,132.05 per annum.

**Section 3. Clerk of Council.**

That the salary of the Clerk of Council shall be fixed at not less than \$40,015.50 and not more than \$82,344.48 per annum.

**Section 4. Employees of Council — Salary.**

That the Clerk of Council, with the approval of the President of Council, shall fix the salary of the employees of Council within the limits established in the following schedule for each classification:

	Minimum	Maximum
1. Archivist.....	\$15,000.00	\$51,500.00
2. Chief of Consumer Affairs.....	17,593.45	56,650.00
3. Chief Legislative Secretary.....	17,593.45	51,500.00
4. Clerk's Deputy Assistant.....	17,593.45	51,500.00
5. Clerk's Assistant.....	\$7.50 per hour	\$15.39 per hour

	<b>Minimum</b>	<b>Maximum</b>
6. Councilmanic Assistants (Part-Time).....	\$5.77 per hour	\$11.10 per hour
7. Council Receptionist.....	15,000.00	30,900.00
8. Director of Communications.....	20,108.26	56,650.00
9. First Assistant Clerk.....	20,109.43	51,500.00
10. Fiscal Officer.....	\$24.98 per hour	\$38.09 per hour
11. Fiscal Secretary.....	15,000.00	48,827.15
12. Information Systems Coordinator.....	17,593.00	61,800.00
23. Information Systems Manager.....	17,593.00	56,235.94
14. Legislative Assistants.....	15,000.00	41,200.00
15. Legislative Assistant/Administrative Secretary.....	15,000.00	48,827.15
16. Legislative Secretary.....	15,000.00	41,200.00
17. Office Administrator — Staff Director.....	17,593.45	61,800.00
18. Research Director.....	17,593.00	61,800.00
19. Sergeant-at-Arms.....	8,840.00	28,329.80

**Section 5. Secretary of Civil Service Commission, Secretaries to Director, and Executive Assistants to the Mayor.**

That the salary of the Secretary of the Civil Service Commission, the salary of the Secretary to each Director of a Department, and the salaries of four Executive Assistants to the Mayor shall be fixed by the Mayor in accordance with the following schedule:

	<b>Minimum</b>	<b>Maximum</b>
1. Four Executive Assistants to the Mayor.....	\$35,410.47	\$87,738.76
2. Special Assistant to the Mayor.....	\$20,410.00	\$55,975.69
3. Secretary to Directors of Departments.....	\$36,590.39	\$80,298.04
4. Secretary of the Civil Service Commission.....	\$25,011.85	\$50,530.61

**Section 6. Department of Law.**

That the Director of Law shall fix the salary of each member of his staff of lawyers in accordance with the following schedule:

<b>CIVIL BRANCH</b>		<b>Minimum</b>	<b>Maximum</b>
1.	Chief Counsel.....	\$36,750.00	\$88,789.78
2.	Chief Assistant Director of Law.....	31,500.00	80,354.37
3.	Assistant Director of Law I.....	26,250.00	58,065.99
4.	Assistant Director of Law I(s).....	26,250.00	60,846.61
5.	Assistant Director of Law II.....	31,500.00	65,542.59
6.	Assistant Director of Law II(s).....	31,500.00	69,054.01
<b>CRIMINAL BRANCH</b>		<b>Minimum</b>	<b>Maximum</b>
1.	Chief Assistant Prosecutor.....	36,750.00	92,341.37
2.	First Assistant Prosecutor.....	31,500.00	72,709.89
3.	Assistant Prosecutor.....	23,100.00	57,715.82

**Section 7.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Custodial Worker.....	\$ 7.35 per hour	\$10.75 per hour
2. Window Washer.....	\$11.03 per hour	\$14.58 per hour

**Section 8.** That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accountant I.....	\$ 6.36 per hour	\$14.24 per hour
2. Accountant II.....	\$ 7.06 per hour	\$15.63 per hour
3. Accountant III.....	\$ 7.96 per hour	\$17.32 per hour
4. Accountant Clerk I.....	\$ 4.81 per hour	\$11.54 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$12.47 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$10.97 per hour
7. Aids Support Services Coordinator .....	\$10.49 per hour	\$12.27 per hour
8. Air Pollution Control, Engineer I .....	\$ 8.43 per hour	\$18.32 per hour
9. Air Pollution Control, Engineer II .....	\$ 8.96 per hour	\$19.30 per hour
10. Air Pollution Control, Engineer III .....	\$ 9.50 per hour	\$20.34 per hour
11. Air Pollution Engineer .....	\$12.04 per hour	\$14.30 per hour
12. Air Pollution Inspector I.....	\$ 9.48 per hour	\$14.73 per hour
13. Air Pollution Inspector II .....	\$ 7.53 per hour	\$16.44 per hour
14. Air Pollution Technician I .....	\$ 7.12 per hour	\$15.63 per hour
15. Air Pollution Technician II .....	\$ 7.53 per hour	\$16.44 per hour
16. Air Pollution Technician III .....	\$ 8.43 per hour	\$18.32 per hour
17. Airport Information Representative .....	\$ 8.56 per hour	\$11.97 per hour
18. Airport Operations Agent I .....	\$12.09 per hour	\$14.80 per hour
19. Airport Operations Agent II .....	\$15.18 per hour	\$17.42 per hour
20. Airport Safety Man .....	\$25,197.87	\$31,503.12
21. Architect .....	\$ 9.73 per hour	\$21.54 per hour
22. Assistant Buyer .....	\$ 6.71 per hour	\$14.95 per hour

	<b>Minimum</b>	<b>Maximum</b>
23. Assistant City Planner .....	\$ 7.12 per hour	\$15.63 per hour
24. Assistant Civil Engineer .....	\$ 7.12 per hour	\$15.63 per hour
25. Assistant Electrical Engineer .....	\$ 7.12 per hour	\$15.63 per hour
26. Assistant Mechanical Engineer .....	\$ 7.12 per hour	\$15.63 per hour
27. Assistant Plan Examiner .....	\$ 7.53 per hour	\$16.44 per hour
28. Associate Programmer .....	\$ 7.55 per hour	\$16.75 per hour
29. Bacteriologist .....	\$ 7.96 per hour	\$17.32 per hour
30. Bill Collector .....	\$ 8.56 per hour	\$11.97 per hour
31. Building Inspector .....	\$12.17 per hour	\$15.89 per hour
32. Camera Room Operator .....	\$ 6.04 per hour	\$13.60 per hour
33. Caseworker I .....	\$ 5.73 per hour	\$13.00 per hour
34. Caseworker II .....	\$ 6.36 per hour	\$14.24 per hour
35. Cashier/Starter .....	\$ 6.36 per hour	\$14.24 per hour
36. Chemist .....	\$ 8.90 per hour	\$18.67 per hour
37. Chief Miscellaneous Investigator .....	\$ 7.53 per hour	\$16.44 per hour
38. Citizens Information Representative .....	\$ 6.04 per hour	\$13.60 per hour
39. Civil Engineer .....	\$ 9.50 per hour	\$21.54 per hour
40. Claims Examiner .....	\$ 7.53 per hour	\$16.44 per hour
41. Clerk Typist .....	\$ 7.62 per hour	\$ 8.92 per hour
42. Clinical Laboratory Assistant .....	\$ 6.36 per hour	\$13.60 per hour
43. Clinical Laboratory Technician I .....	\$ 7.12 per hour	\$15.63 per hour
44. Clinical Laboratory Technician II .....	\$ 7.37 per hour	\$16.75 per hour
45. Cocaine Treatment Counselor I .....	\$ 8.56 per hour	\$12.93 per hour
46. Cocaine Intake Specialist .....	\$ 9.95 per hour	\$11.64 per hour
47. Community Development Code Enforcement Inspector I .....	\$14.08 per hour	\$17.33 per hour
48. Community Development Code Enforcement Inspector II .....	\$14.89 per hour	\$18.32 per hour
49. Community Development Code Enforcement Inspector III .....	\$15.70 per hour	\$19.30 per hour
50. Community Development Code Enforcement Inspector/Heating I .....	\$14.08 per hour	\$17.33 per hour
51. Community Development Code Enforcement Inspector/Heating II .....	\$14.89 per hour	\$18.32 per hour
52. Community Development Code Enforcement Inspector/Heating III .....	\$15.70 per hour	\$19.30 per hour
53. Community Development Code Enforcement Inspector/Refrigeration I .....	\$14.08 per hour	\$17.33 per hour
54. Community Development Code Enforcement Inspector/Refrigeration II .....	\$14.89 per hour	\$18.32 per hour
55. Community Development Code Enforcement Inspector/Refrigeration III .....	\$15.70 per hour	\$19.30 per hour
56. Community Development Code Enforcement Inspector/Trainee .....	\$ 9.97 per hour	\$13.98 per hour
57. Community Development Planner .....	\$ 9.87 per hour	\$20.72 per hour
58. Community Health Aide .....	\$ 4.81 per hour	\$11.54 per hour
59. Community Relations Representative I .....	\$ 6.04 per hour	\$13.60 per hour
60. Community Relations Representative II .....	\$ 7.53 per hour	\$16.44 per hour
61. Community Relations Representative III .....	\$ 9.51 per hour	\$20.34 per hour
62. Composing Equipment Operator .....	\$ 6.71 per hour	\$14.95 per hour
63. Computer Monitor Assistant .....	\$ 8.43 per hour	\$ 9.87 per hour
64. Computer Operator .....	\$ 7.53 per hour	\$16.44 per hour
65. Consumer Protection Specialist .....	\$ 5.73 per hour	\$13.00 per hour
66. Cook .....	\$ 9.73 per hour	\$11.25 per hour
67. Copy Center Operator .....	\$ 5.67 per hour	\$12.47 per hour
68. Cost Construction Estimator .....	\$ 8.34 per hour	\$16.00 per hour
69. Customer Service Representative .....	\$ 8.56 per hour	\$11.97 per hour
70. Data Control Clerk .....	\$ 5.24 per hour	\$11.98 per hour
71. Data Conversion Operator .....	\$ 8.48 per hour	\$10.84 per hour
72. Dental Assistant .....	\$ 4.71 per hour	\$11.31 per hour
73. Development Officer .....	\$ 8.96 per hour	\$19.29 per hour
74. Dietician .....	\$ 9.08 per hour	\$14.23 per hour
75. Drug and Alcohol Counselor .....	\$ 9.05 per hour	\$10.59 per hour
76. Electrical Engineer .....	\$ 9.50 per hour	\$21.54 per hour
77. Electronic Engineer .....	\$ 9.54 per hour	\$21.93 per hour
78. Elevator Inspector .....	\$12.16 per hour	\$17.33 per hour
79. Environmental Technician .....	\$10.91 per hour	\$13.01 per hour
80. Family Planning Clerk .....	\$ 7.22 per hour	\$ 9.98 per hour
81. Financial Analyst .....	\$ 7.12 per hour	\$15.63 per hour
82. Financial Counselor .....	\$ 7.94 per hour	\$16.44 per hour
83. Fuel System Technician .....	\$ 8.96 per hour	\$14.51 per hour
84. General Health Aide .....	\$ 4.81 per hour	\$11.54 per hour
85. General Storekeeper .....	\$ 7.96 per hour	\$17.32 per hour
86. Geriatric Outreach Worker .....	\$ 7.12 per hour	\$15.63 per hour
87. Guard .....	\$ 6.55 per hour	\$11.53 per hour
88. Head Cook .....	\$ 5.46 per hour	\$12.46 per hour

	<b>Minimum</b>	<b>Maximum</b>
89.	Head Storekeeper .....	\$ 7.11 per hour \$15.64 per hour
90.	Health Educator I .....	\$ 6.36 per hour \$14.24 per hour
91.	Health Educator II .....	\$ 7.12 per hour \$15.63 per hour
92.	Heating Inspector .....	\$12.16 per hour \$15.89 per hour
93.	HIV Educator .....	\$ 8.17 per hour \$ 9.09 per hour
94.	House Connection Inspector .....	\$10.31 per hour \$13.29 per hour
95.	House of Correction Guard .....	\$10.10 per hour \$12.26 per hour
96.	Housing Inspector .....	\$12.47 per hour \$14.14 per hour
97.	Human Resources Contract Specialist .....	\$ 9.73 per hour \$21.53 per hour
98.	Human Resources On-the-Job Training Specialist .....	\$10.21 per hour \$18.31 per hour
99.	Human Resources Planner .....	\$10.74 per hour \$22.75 per hour
100.	Human Resources Special Projects Coordinator .....	\$10.21 per hour \$18.31 per hour
101.	Income Tax Tracer .....	\$ 6.36 per hour \$14.24 per hour
102.	Industrial Hygiene Engineer .....	\$ 9.73 per hour \$21.53 per hour
103.	Industrial Nuisance Inspector .....	\$ 6.36 per hour \$14.24 per hour
104.	Information Control Analyst .....	\$ 6.81 per hour \$14.92 per hour
105.	Inspector of Weights and Measures .....	\$ 5.73 per hour \$13.00 per hour
106.	Institutional Guard .....	\$ 9.50 per hour \$12.26 per hour
107.	Instrument Repairman .....	\$ 8.21 per hour \$14.23 per hour
108.	Instrumentation Technician I .....	\$14.41 per hour \$15.30 per hour
109.	Instrumentation Technician II .....	\$16.08 per hour \$16.85 per hour
110.	Intake Specialist .....	\$ 4.81 per hour \$11.54 per hour
111.	Job Retraining Assistant .....	\$ 7.12 per hour \$15.63 per hour
112.	Junior Cashier .....	\$ 5.24 per hour \$11.97 per hour
113.	Junior Chemist .....	\$ 5.46 per hour \$12.47 per hour
114.	Junior City Planner .....	\$ 6.36 per hour \$14.24 per hour
115.	Junior Civil Engineer .....	\$ 6.36 per hour \$14.24 per hour
116.	Junior Clerk .....	\$ 8.46 per hour \$ 9.98 per hour
117.	Junior Draftsman .....	\$ 5.46 per hour \$12.47 per hour
118.	Junior Engineering Aide .....	\$ 5.46 per hour \$12.47 per hour
119.	Laboratory Assistant .....	\$ 6.04 per hour \$13.60 per hour
120.	Laboratory Helper .....	\$ 4.77 per hour \$10.75 per hour
121.	Landscape Architect .....	\$ 9.50 per hour \$20.34 per hour
122.	Lead Pressman .....	\$ 8.93 per hour \$15.84 per hour
123.	Life Guard .....	\$ 4.25 per hour \$ 9.33 per hour
124.	Life Guard Captain .....	\$ 7.14 per hour \$ 9.33 per hour
125.	Mechanical Engineer .....	\$ 9.50 per hour \$21.54 per hour
126.	Messenger .....	\$ 4.77 per hour \$10.75 per hour
127.	Meter Reader .....	\$10.95 per hour \$13.97 per hour
128.	Minority Business Consultant .....	\$11.15 per hour \$23.97 per hour
129.	Miscellaneous Investigator .....	\$ 5.46 per hour \$12.47 per hour
130.	Monitoring, Auditing and Evaluation Coordinator .....	\$13.65 per hour \$15.86 per hour
131.	Office Machine Operator .....	\$ 8.46 per hour \$10.46 per hour
132.	Offset Duplicating Machine Operator .....	\$ 5.46 per hour \$12.47 per hour
133.	On The Job Training Specialist .....	\$12.71 per hour \$15.33 per hour
134.	Park and Recreation Planner .....	\$ 9.51 per hour \$20.34 per hour
135.	Parking Attendant .....	\$ 6.31 per hour \$11.54 per hour
136.	Parking Meter Collector .....	\$ 6.32 per hour \$11.51 per hour
137.	Parking Meter Serviceman .....	\$11.64 per hour \$12.12 per hour
138.	Permit Processing Specialist .....	\$ 7.00 per hour \$ 9.66 per hour
139.	Pharmacist .....	\$10.74 per hour \$22.75 per hour
140.	Pharmacodependent Rehabilitation Counselor I .....	\$ 6.49 per hour \$11.04 per hour
141.	Pharmacodependent Rehabilitation Counselor II .....	\$ 7.57 per hour \$13.05 per hour
142.	Photographer .....	\$ 9.08 per hour \$15.63 per hour
143.	Photographic Laboratory Technician .....	\$ 6.80 per hour \$13.60 per hour
144.	Photo-Litho Operator .....	\$ 5.48 per hour \$12.47 per hour
145.	Physical Director .....	\$ 8.33 per hour \$14.06 per hour
146.	Plan Examiner .....	\$ 7.96 per hour \$18.60 per hour
147.	Play Director .....	\$ 4.25 per hour \$ 9.84 per hour
148.	Police Radio Technician .....	\$13.99 per hour \$15.13 per hour
149.	Pressman .....	\$ 7.89 per hour \$15.34 per hour
150.	Preventive Health Counselor .....	\$13.59 per hour \$15.90 per hour
151.	Preventive Health Educator .....	\$ 8.89 per hour \$10.68 per hour
152.	Principal Cashier .....	\$ 7.24 per hour \$16.75 per hour
153.	Principal Clerk .....	\$10.19 per hour \$14.24 per hour
154.	Print Shop Helper .....	\$ 9.06 per hour \$10.55 per hour
155.	Private Secretary .....	\$ 6.71 per hour \$14.95 per hour
156.	Program Analyst .....	\$16.64 per hour \$21.67 per hour
157.	Programmer .....	\$ 8.96 per hour \$19.30 per hour
158.	Programmer Analyst .....	\$ 9.73 per hour \$21.53 per hour
159.	Property Clerk .....	\$11.37 per hour \$23.99 per hour
160.	Psychiatric Social Worker .....	\$12.48 per hour \$15.58 per hour
161.	Psychologist I .....	\$10.74 per hour \$20.73 per hour
162.	Psychologist II .....	\$12.88 per hour \$24.44 per hour
163.	Public Health Nursing Aide .....	\$ 9.08 per hour \$ 9.96 per hour
164.	Public Health Sanitarian I .....	\$10.91 per hour \$13.31 per hour



	<b>Minimum</b>	<b>Maximum</b>	
165.	Public Health Sanitarian II .....	\$12.25 per hour	\$14.90 per hour
166.	Public Health Sanitarian III .....	\$13.23 per hour	\$15.54 per hour
167.	Public Information Officer .....	\$ 7.38 per hour	\$16.44 per hour
168.	Quality Assurance Analyst .....	\$ 8.96 per hour	\$19.29 per hour
169.	Radio Dispatcher .....	\$14.81 per hour	\$15.18 per hour
170.	Radio Technician .....	\$13.99 per hour	\$15.13 per hour
171.	Receptionist .....	\$ 6.06 per hour	\$11.00 per hour
172.	Records Manager .....	\$ 9.84 per hour	\$11.53 per hour
173.	Recreation Aide .....	\$ 4.25 per hour	\$ 7.68 per hour
174.	Recreation Instructor .....	\$ 4.81 per hour	\$11.54 per hour
175.	Recreation Instructor I .....	\$ 5.24 per hour	\$12.29 per hour
176.	Recreation Instructor II .....	\$ 5.46 per hour	\$12.78 per hour
177.	Recreation Instructor III .....	\$ 6.83 per hour	\$13.51 per hour
178.	Recreation Program Supervisor .....	\$ 6.83 per hour	\$12.55 per hour
179.	Redevelopment Advisor .....	\$ 7.96 per hour	\$17.32 per hour
180.	Redevelopment Coordinator .....	\$ 8.38 per hour	\$19.30 per hour
181.	Refrigeration Inspector .....	\$12.17 per hour	\$15.89 per hour
182.	Refugee Outreach Worker .....	\$ 8.40 per hour	\$10.74 per hour
183.	Registered Animal Health Technician .....	\$ 7.94 per hour	\$11.54 per hour
184.	Rehabilitation Advisor .....	\$ 6.71 per hour	\$14.95 per hour
185.	Sanitarian Aide .....	\$ 9.92 per hour	\$11.19 per hour
186.	Secretary .....	\$ 6.30 per hour	\$12.47 per hour
187.	Secretary to Director of Consumer Affairs .....	\$ 9.51 per hour	\$20.34 per hour
188.	Senior Assistant Architect .....	\$ 7.96 per hour	\$17.32 per hour
189.	Senior Assistant City Planner .....	\$ 7.96 per hour	\$17.32 per hour
190.	Senior Assistant Civil Engineer .....	\$ 7.96 per hour	\$17.32 per hour
191.	Senior Assistant Electrical Engineer .....	\$ 7.96 per hour	\$17.32 per hour
192.	Senior Assistant Mechanical Engineer .....	\$ 7.96 per hour	\$17.32 per hour
193.	Senior Assistant Traffic Engineer .....	\$ 7.96 per hour	\$17.32 per hour
194.	Senior Bacteriologist .....	\$ 6.71 per hour	\$14.95 per hour
195.	Senior Cashier .....	\$ 6.36 per hour	\$14.24 per hour
196.	Senior Chemist .....	\$ 7.53 per hour	\$16.44 per hour
197.	Senior Clerk .....	\$ 8.79 per hour	\$12.47 per hour
198.	Senior Computer Operator .....	\$ 8.96 per hour	\$19.30 per hour
199.	Senior Data Conversion Operator .....	\$ 5.73 per hour	\$13.00 per hour
200.	Senior Development Officer .....	\$12.63 per hour	\$25.33 per hour
201.	Senior Draftsman .....	\$ 6.36 per hour	\$14.24 per hour
202.	Senior Engineering Draftsman and Photographer .....	\$ 7.12 per hour	\$15.63 per hour
203.	Senior Information Control Analyst .....	\$ 7.38 per hour	\$16.44 per hour
204.	Senior Laboratory Technician .....	\$10.86 per hour	\$12.72 per hour
205.	Senior Landscape Architect .....	\$ 9.73 per hour	\$21.53 per hour
206.	Senior Site Inspector - Demolition .....	\$ 8.43 per hour	\$18.31 per hour
207.	Sewer Service Man .....	\$12.80 per hour	\$13.59 per hour
208.	Site Inspector .....	\$ 7.53 per hour	\$16.44 per hour
209.	Social Worker for Homeless .....	\$13.82 per hour	\$16.17 per hour
210.	Starter (Golf) .....	\$ 4.49 per hour	\$ 9.55 per hour
211.	S.T.D. Clerk .....	\$ 7.88 per hour	\$ 9.23 per hour
212.	Stenographer I .....	\$ 8.35 per hour	\$10.49 per hour
213.	Stenographer II .....	\$ 9.21 per hour	\$11.70 per hour
214.	Stenographer III .....	\$ 7.37 per hour	\$13.00 per hour
215.	Stock Clerk .....	\$ 5.46 per hour	\$12.84 per hour
216.	Storekeeper .....	\$ 6.36 per hour	\$14.64 per hour
217.	Street Obstruction Inspector .....	\$ 6.04 per hour	\$13.60 per hour
218.	Surveyor .....	\$ 8.96 per hour	\$19.30 per hour
219.	Tax Auditor I .....	\$ 7.12 per hour	\$15.63 per hour
220.	Tax Auditor II .....	\$ 7.96 per hour	\$17.32 per hour
221.	Technical Specialist .....	\$ 7.53 per hour	\$16.44 per hour
222.	Technical Specifications Writer .....	\$ 9.08 per hour	\$17.33 per hour
223.	Telephone Operator .....	\$ 5.24 per hour	\$11.97 per hour
224.	Telephone Supervisor .....	\$ 5.46 per hour	\$12.47 per hour
225.	Timekeeper .....	\$ 5.46 per hour	\$12.47 per hour
226.	Traffic Engineer .....	\$ 9.50 per hour	\$20.34 per hour
227.	Traffic Sign and Marking Technician .....	\$11.69 per hour	\$12.47 per hour
228.	Typist .....	\$ 8.48 per hour	\$10.84 per hour
229.	Urban Planning and Development Technician .....	\$ 5.73 per hour	\$13.00 per hour
230.	Utility Adjuster .....	\$ 9.09 per hour	\$13.80 per hour
231.	Vector Control Assistant .....	\$ 8.90 per hour	\$10.41 per hour
232.	Veteran's Counselor .....	\$ 7.38 per hour	\$14.15 per hour
233.	Water Hydraulic Repairman .....	\$12.80 per hour	\$13.59 per hour
234.	Water Meter Repairman .....	\$12.80 per hour	\$13.96 per hour
235.	Water Pipe Repairman.....	\$11.59 per hour	\$13.96 per hour
236.	Water Serviceman .....	\$ 9.05 per hour	\$11.59 per hour
237.	Water System Construction Inspector .....	\$10.48 per hour	\$17.32 per hour

**Section 9.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Bilingual Communication Specialist .....	\$20,734.19	\$26,071.71
2. Police Radio Dispatcher .....	\$20,741.97	\$28,553.22
3. Police Safety Aide .....	17,590.83	20,323.15
4. Safety Telephone Operator .....	19,273.89	22,070.00

**Section 10.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Assistant Superintendent of Distribution .....	\$29,828.64	\$33,671.59
2. Chief Meter Reader .....	26,776.62	30,304.79
3. Chief Radio Dispatcher-Water .....	30,533.44	34,471.13
4. Data Conversion Supervisor .....	24,070.17	27,319.24
5. Engineer of Hydraulic Surveys .....	37,550.06	42,643.85
6. Meter Reader Supervisor .....	29,215.14	33,790.24
7. Sewer Construction Unit Leader .....	31,650.11	35,680.91
	<b>Minimum</b>	<b>Maximum</b>
8. Sewer Maintenance Unit Leader .....	23,962.24	30,886.31
9. Sewer Maintenance Unit Leader Operator .....	28,605.94	32,322.78
10. Supervisor of Radio Service .....	30,553.44	36,448.18
11. Unit Supervisor .....	26,835.06	34,152.23
12. Water Hydraulic Unit Leader .....	28,446.57	32,601.52
13. Water Hydraulic Supervisor .....	32,237.05	36,789.04
14. Water Meter Department Unit Leader .....	28,446.55	32,601.52
15. Water Meter Department Supervisor .....	32,237.05	36,789.04
16. Water Pipe Repair Unit Leader.....	28,446.57	33,396.95
17. Water Pipe Repair Supervisor .....	32,242.61	37,584.47

**Section 11.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Building Stationary Engineer .....	\$10.14 per hour	\$14.66 per hour
2. Chief Building Stationary Engineer .....	\$12.37 per hour	\$15.63 per hour
3. Chief Stationary Engineer .....	\$ 9.18 per hour	\$16.67 per hour
4. First Assistant Stationary Engineer .....	\$12.15 per hour	\$15.18 per hour
5. Purification Plant Operator I .....	\$ 9.43 per hour	\$11.62 per hour
6. Purification Plant Operator II .....	\$10.83 per hour	\$13.23 per hour
7. Purification Plant Operator III .....	\$11.36 per hour	\$13.83 per hour
8. Second Assistant Stationary Engineer .....	\$10.83 per hour	\$14.17 per hour
9. Stationary Boiler Room Operator .....	\$12.29 per hour	\$14.54 per hour
10. Water Plant Operator I .....	\$13.09 per hour	\$15.64 per hour
11. Water Plant Operator II .....	\$14.78 per hour	\$16.74 per hour

**Section 12.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Traffic Sign and Marking Supervisor .....	\$12.89 per hour	\$18.03 per hour
2. Traffic Sign Process Operator .....	\$12.89 per hour	\$18.03 per hour

**Section 13.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Security Officer .....	\$ 9.04 per hour	\$14.73 per hour

**Section 14.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Airport Maintenance Man .....	\$11.97 per hour	\$12.67 per hour
2. Concrete Mixer Driver .....	\$14.82 per hour	\$16.07 per hour
3. Dog Warden .....	\$11.04 per hour	\$11.71 per hour
4. Ground Maintenance Truck Driver II .....	\$12.34 per hour	\$13.44 per hour
5. Hostler .....	\$ 9.80 per hour	\$10.40 per hour
6. Parking Enforcement Officer .....	\$ 9.74 per hour	\$10.32 per hour
7. Street Carry-all Driver .....	\$15.55 per hour	\$16.84 per hour
8. Street Maintenance Equipment Leader .....	\$16.15 per hour	\$17.13 per hour
9. Street Equipment Maintenance Specialist .....	\$15.55 per hour	\$16.49 per hour
10. Tanker Truck Driver .....	\$15.55 per hour	\$17.01 per hour
11. Tow Truck Operator .....	\$11.80 per hour	\$12.87 per hour
12. Traffic Controller .....	\$ 9.73 per hour	\$10.32 per hour
13. Truck Driver .....	\$12.50 per hour	\$13.61 per hour
14. Waste Collection Driver .....	\$12.33 per hour	\$13.43 per hour
15. Waste Collection Roll-Off Driver.....	\$15.52 per hour	\$16.81 per hour

**Section 15.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Machinist .....	\$13.35 per hour	\$15.88 per hour
2. Machinist Unit Leader .....	\$13.46 per hour	\$17.97 per hour
3. Machinist Helper .....	\$11.66 per hour	\$13.42 per hour

**Section 16.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Auto Body Repair Worker .....	\$10.49 per hour	\$14.55 per hour
2. Automobile Repair Helper .....	\$ 9.73 per hour	\$13.04 per hour
3. Automobile Repair Worker .....	\$11.03 per hour	\$14.43 per hour
4. Automobile Repairman Unit Leader .....	\$12.44 per hour	\$17.50 per hour
	<b>Minimum</b>	<b>Maximum</b>
5. Blacksmith .....	\$10.71 per hour	\$17.05 per hour
6. Garage Worker .....	\$ 9.20 per hour	\$12.27 per hour
7. Heavy Duty Mechanic .....	\$10.71 per hour	\$17.29 per hour
8. Small Equipment Repair Worker .....	\$ 9.93 per hour	\$13.04 per hour
9. Tire Repair Worker .....	\$10.23 per hour	\$13.15 per hour
10. Welder .....	\$12.17 per hour	\$16.81 per hour

**Section 17.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Bridge Attendant .....	\$ 7.82 per hour	\$11.42 per hour
2. Electric Bridge Operator .....	\$ 9.39 per hour	\$13.78 per hour

**Section 18.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Assistant Chief Electrical Inspector .....	\$30,822.89	\$34,331.76
2. Community Development Code Enforcement Inspector/Electrical I .....	\$14.40 per hour	\$16.50 per hour
3. Community Development Code Enforcement Inspector/Electrical II .....	\$15.20 per hour	\$17.44 per hour
4. Community Development Code Enforcement Inspector/Electrical III .....	\$16.01 per hour	\$18.36 per hour
5. Electrical Inspector .....	\$29,217.91	\$32,544.08

**Section 19.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Assistant Chief Plumbing Inspector .....	\$30,822.89	\$34,331.76
2. Assistant Plumbing Inspector .....	\$18,839.70	\$28,181.15
3. Community Development Code Enforcement Inspector/Plumbing I .....	\$14.40 per hour	\$16.50 per hour
4. Community Development Code Enforcement Inspector/Plumbing II .....	\$15.20 per hour	\$17.44 per hour
5. Community Development Code Enforcement Inspector/Plumbing III .....	\$16.01 per hour	\$18.36 per hour
6. Plumbing Inspector .....	\$29,217.91	\$32,544.08

**Section 20.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Emergency Medical Dispatcher (Probationary) .....	\$ 8.50 per hour	\$ 8.50 per hour
2. Emergency Medical Dispatcher .....	\$20,741.97	\$29,409.82
3. Emergency Medical Technician .....	\$22,499.00	\$32,724.12

**Section 21.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Nurse II .....	\$19,049.10	\$35,636.63
2. Public Health Nurse .....	19,049.10	35,636.63
3. Public Health Nurse I .....	23,146.64	34,697.69
4. Public Health Nurse II .....	26,985.00	34,697.69
5. Public Health Nurse III .....	29,400.00	37,713.78
6. Public Health Nurse IV .....	28,151.33	40,361.26
7. Public Health Nurse V .....	30,653.67	44,371.63

	<b>Minimum</b>	<b>Maximum</b>
8. Public Health Nurse VI .....	35,658.35	51,286.15
9. Supervising Public Health Nurse .....	23,647.11	38,895.62

**Section 22.** That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Apprentice Cable Splicer .....	\$14.35 per hour	\$18.07 per hour
2. Apprentice Lineman .....	\$14.46 per hour	\$18.22 per hour
3. Cable Foreman .....	\$20.31 per hour	\$23.77 per hour
4. Cable Splicer .....	\$16.95 per hour	\$19.85 per hour
5. Cable Splicer I .....	\$18.17 per hour	\$21.26 per hour
6. Cable Splicer II .....	\$16.64 per hour	\$19.47 per hour
7. Cable Splicer Helper .....	\$12.25 per hour	\$15.15 per hour
8. Dispatcher Electric System Operator .....	\$17.13 per hour	\$20.04 per hour
9. Electric Meter Industrial Installer .....	\$18.10 per hour	\$21.19 per hour
10. Electric Meter Instrument Specialist and General Tester .....	\$18.31 per hour	\$21.43 per hour
11. Electric Meterman Apprentice .....	\$14.13 per hour	\$17.82 per hour
12. Electric Meter Service Foremen .....	\$20.31 per hour	\$23.77 per hour
13. Electric Meter Service Installer I .....	\$16.87 per hour	\$19.73 per hour
14. Electric Meter Service Installer II .....	\$15.71 per hour	\$18.39 per hour
15. Electric Motor and Transformer Repairman .....	\$16.87 per hour	\$19.75 per hour
16. Electric Switchboard Operator Foreman .....	\$20.31 per hour	\$23.77 per hour
17. Electric Transmission and Distribution Inspector .....	\$18.17 per hour	\$21.26 per hour
18. Foreman Low Tension .....	\$19.95 per hour	\$23.34 per hour
19. Gas Turbine Mechanic .....	\$16.87 per hour	\$19.73 per hour
20. Gas Turbine Mechanic Apprentice .....	\$14.35 per hour	\$18.07 per hour
21. Junior Electric Switchboard Operator .....	\$14.43 per hour	\$16.88 per hour
22. Leader Lineman Low-Tension .....	\$19.35 per hour	\$22.65 per hour
23. Line Foreman .....	\$20.31 per hour	\$23.34 per hour
24. Line Clearance Man .....	\$14.19 per hour	\$17.57 per hour
25. Line Helper Driver .....	\$12.08 per hour	\$17.21 per hour
26. Lineman .....	\$18.17 per hour	\$21.26 per hour
27. Lineman Leader .....	\$19.48 per hour	\$22.78 per hour
28. Line Switchman .....	\$19.48 per hour	\$22.78 per hour
29. Low Tension Lineman .....	\$16.95 per hour	\$19.85 per hour
30. Low Tension Lineman Apprentice .....	\$13.95 per hour	\$17.57 per hour
31. Low Tension Trouble Lineman .....	\$17.77 per hour	\$21.81 per hour
32. Police Division Trouble Lineman .....	\$18.63 per hour	\$21.81 per hour
33. Safety Signal Trouble Lineman .....	\$18.63 per hour	\$21.81 per hour
34. Senior Electric Switchboard Operator .....	\$15.91 per hour	\$18.61 per hour
35. Senior Lineman .....	\$19.14 per hour	\$22.40 per hour
36. Signal System Powerman .....	\$18.97 per hour	\$22.20 per hour
37. Telecommunications Technician .....	\$18.97 per hour	\$22.20 per hour
38. Traffic Signal Control Technician .....	\$20.09 per hour	\$23.50 per hour
39. Transformer Repairman Foreman .....	\$20.31 per hour	\$23.77 per hour
40. Trouble Lineman .....	\$19.14 per hour	\$22.40 per hour
41. Underground Conduit Foreman .....	\$20.31 per hour	\$23.77 per hour

**Section 23.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accident and Safety Inspector .....	\$13.74 per hour	\$15.74 per hour
2. Airport Field Foreman .....	\$13.65 per hour	\$15.65 per hour
3. Arborist I .....	\$11.94 per hour	\$13.94 per hour
4. Arborist II .....	\$13.89 per hour	\$15.89 per hour
5. Arborist III .....	\$15.72 per hour	\$17.72 per hour
6. Assistant Gardener .....	\$ 9.31 per hour	\$11.31 per hour
7. Assistant Manager of Parks and Urban Forestry .....	\$15.30 per hour	\$17.30 per hour
8. Assistant Superintendent of Waste Collection .....	\$15.72 per hour	\$17.72 per hour
9. Cemetery Foreman .....	\$13.65 per hour	\$15.65 per hour
10. Cemeteries Maintenance Man I .....	\$10.66 per hour	\$12.66 per hour
11. Cemeteries Maintenance Man II .....	\$16.79 per hour	\$18.79 per hour
12. Cemetery Supervisor .....	\$15.72 per hour	\$17.72 per hour
13. Chief Engineering and Construction Inspector .....	\$17.30 per hour	\$19.30 per hour
14. Chief Horticulturist .....	\$20.73 per hour	\$22.73 per hour
15. Cold Patch and Cracksealing Foreman .....	\$15.82 per hour	\$17.82 per hour
16. Cold Patch and Crack Sealing Worker .....	\$11.75 per hour	\$13.75 per hour
17. Crematory and Mausoleum Operator .....	\$11.94 per hour	\$13.94 per hour
18. District Paving Repair Foreman .....	\$21.55 per hour	\$23.55 per hour
19. Engineering and Construction Inspector .....	\$12.83 per hour	\$14.83 per hour
20. Gardener .....	\$10.21 per hour	\$12.21 per hour
21. General Construction Foreman .....	\$21.77 per hour	\$23.77 per hour
22. General Shop Foreman .....	\$15.72 per hour	\$17.72 per hour

	<b>Minimum</b>	<b>Maximum</b>
23. Greenskeeper .....	\$14.20 per hour	\$16.20 per hour
24. Ground Maintenance Crew Foreman .....	\$11.53 per hour	\$13.53 per hour
25. Ground Maintenance Foreman .....	\$13.66 per hour	\$15.66 per hour
26. Ground Maintenance Man .....	\$10.66 per hour	\$12.66 per hour
27. Horticulturist .....	\$18.12 per hour	\$20.12 per hour
28. Horticulturist Maintenance Foreman .....	\$13.66 per hour	\$15.66 per hour
29. Labor Foreman .....	\$13.65 per hour	\$15.65 per hour
30. Lead Program Assistant .....	\$11.59 per hour	\$13.59 per hour
31. Mechanical Handyman .....	\$11.12 per hour	\$13.12 per hour
32. Maintenance Foreman .....	\$13.04 per hour	\$15.04 per hour
33. Municipal Service Laborer .....	\$10.66 per hour	\$12.66 per hour
34. Parking Coordinator .....	\$14.44 per hour	\$16.44 per hour
35. Practical Nurse .....	\$10.60 per hour	\$12.60 per hour
36. Radio Operator .....	\$12.27 per hour	\$14.27 per hour
37. Real Estate Maintenance Man .....	\$11.31 per hour	\$13.31 per hour
38. Set-Up Foreman .....	\$11.37 per hour	\$13.37 per hour
39. Shop Foreman .....	\$13.65 per hour	\$15.65 per hour
40. Sidewalk Inspector .....	\$11.70 per hour	\$13.70 per hour
41. Street Cleaning District Foreman .....	\$13.65 per hour	\$15.65 per hour
42. Street Maintenance Foreman .....	\$13.65 per hour	\$15.65 per hour
43. Street Maintenance General Foreman .....	\$15.72 per hour	\$17.72 per hour
44. Street Permit Supervisor .....	\$10.62 per hour	\$12.62 per hour
45. Street Sweeper-Waste Collection .....	\$10.35 per hour	\$12.35 per hour
46. Tire Shredder .....	\$11.20 per hour	\$13.20 per hour
47. Waste Collection Foreman .....	\$13.65 per hour	\$15.65 per hour
48. Waste Collection Foreman I .....	\$15.02 per hour	\$17.02 per hour
49. Waste Collection Transfer Foreman .....	\$15.60 per hour	\$17.60 per hour
50. Waste Collector .....	\$10.66 per hour	\$12.66 per hour
51. Waste Collector Cushman Operator .....	\$10.96 per hour	\$12.96 per hour
52. Watchman .....	\$ 8.89 per hour	\$10.89 per hour
53. Watchman Supervisor .....	\$11.26 per hour	\$13.26 per hour

**Section 24.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Fingerprint Examiner .....	\$18,885.58	\$28,306.87

**Section 25.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Budget Analyst .....	\$16,760.96	\$38,117.76
2. Buyer .....	17,705.24	36,068.94
3. Civil Service Examiner I .....	12,983.84	28,306.87
4. Civil Service Examiner II .....	15,344.54	32,522.68
5. Civil Service Examiner III .....	18,885.58	36,068.94
6. Civil Service Examiner IV .....	23,606.98	44,763.40
7. Court Stenographer .....	15,344.54	30,301.58
8. Docket Clerk .....	16,043.58	27,032.90
9. Junior Personnel Assistant .....	12,983.84	28,306.89
10. Law Librarian .....	16,524.89	29,212.89
11. Legal Secretary .....	17,189.55	29,607.11
12. Office Manager .....	14,700.00	29,027.05
13. Parking Enforcement Analyst .....	18,385.50	33,165.34
14. Paralegal .....	16,043.58	32,522.80
15. Personnel Assistant .....	16,524.89	32,522.80
16. Private Secretary to Director .....	15,344.54	34,190.81
17. Scientific Examiner .....	22,575.00	42,307.49
18. Senior Personnel Assistant .....	17,705.24	36,068.94
19. Tape Librarian .....	14,164.19	31,038.60

**Section 26.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Administrative Officer .....	\$17,705.24	\$38,095.90
2. Cable Protection Specialist .....	18,529.41	28,681.38
3. Case Worker Supervisor .....	20,065.93	32,522.80
4. Chief Air Pollution Inspector .....	20,065.93	38,095.90
5. Chief Caseworker Supervisor .....	22,426.64	34,190.81
6. Chief Clerk .....	22,050.00	34,190.81
7. Chief Photographer .....	20,065.93	38,095.90
8. Chief Radio Dispatcher .....	25,377.50	34,434.78
9. Chief Telephone Operator .....	17,611.99	35,982.37
10. Cocaine Treatment Supervisor.....	22,426.64	34,190.81

	<b>Minimum</b>	<b>Maximum</b>
11. Composing Supervisor .....	20,065.93	32,522.80
12. Consumer Protection Supervisor .....	18,885.58	34,190.81
13. Custodial Worker Supervisor .....	17,705.24	30,388.46
14. Personnel Analyst I .....	21,000.00	35,170.60
15. Secretary to Board of Examiner of Plumbers Board of Review (Electrical) .....	18,885.58	29,607.11
16. Secretary - Boxing and Wrestling Commission .....	18,885.58	27,032.90
17. Superintendent of Maintenance .....	23,606.98	42,586.96
18. Superintendent of Street Cleaning .....	25,967.68	34,742.44
19. Superintendent of Waste Collection .....	29,508.73	42,586.96
20. Supervisor of Income Tax Files .....	18,885.58	29,607.11
21. Supervisor of Storeroom and Mailing .....	16,524.89	27,032.90

**Section 27.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Airport Maintenance Supervisor .....	\$21,019.66	\$38,095.92
2. Airport Safety Supervisor .....	21,019.66	38,595.95
3. Assistant Chief Building Inspector .....	17,705.24	38,094.85
4. Assistant Chief Housing Inspector .....	17,705.24	38,094.85
5. Assistant Custodian .....	16,559.28	36,067.84
6. Assistant Superintendent of Electrical Generation .....	21,019.66	42,215.54
7. Bridge Inspector .....	13,958.10	31,038.71
8. Bridge Oiler .....	\$ 7.89 per hour	\$12.97 per hour
9. Bureau Manager - Housing .....	26,797.11	48,441.24
10. Bureau Manager - Demolition .....	26,797.11	48,441.24
11. Bureau Manager - Building .....	26,797.11	48,441.24
12. Cable Production Manager .....	20,410.00	54,878.13
13. Chief Bridge Operator .....	16,559.28	36,067.84
14. Chief of Electric Meter Bureau .....	26,274.57	52,697.08
15. Chief Guard .....	15,764.74	30,867.96
16. Chief Safety Signal System .....	\$18.60 per hour	\$27.40 per hour
17. Chief Sidewalk Inspector .....	15,641.78	34,193.65
18. Chief Street Permit Inspector .....	14,790.48	32,522.80
19. Chief of Traffic Signal Unit .....	\$18.60 per hour	\$27.40 per hour
20. Community Development Code Enforcement Inspector Supervisor .....	34,464.91	42,307.49
21. Coordinator of Parking Enforcement .....	18,627.62	38,968.08
22. Correctional Supervisor .....	17,543.01	38,095.90
23. District Forester .....	31,043.38	43,421.53
24. Electric Bridge Operator Leader .....	\$ 8.55 per hour	\$13.51 per hour
25. Environmental Assistant .....	17,705.24	38,095.90
26. Field Operations Forester .....	32,445.00	45,061.73
27. General Superintendent Waste Collection .....	30,473.96	47,457.70
28. House Sergeant .....	13,137.29	27,268.27
29. Instrumentation Supervisor .....	29,200.50	38,278.25
30. Parking Meter Foreman .....	24,679.38	29,646.53
31. Printing Foreman .....	28,404.92	38,769.41
32. Supervisor of Landscape Construction .....	17,078.47	34,742.44
33. Supervisor of Parking Enforcement Unit .....	18,262.21	29,242.08
34. Supervisor of Markets .....	14,790.48	32,522.80
35. Supervisor of Weights and Measures .....	14,790.48	32,522.80
36. Survey Party Chief .....	18,099.87	40,500.47
37. Tunnel Maintenance Foreman .....	17,078.47	28,424.20
38. Tunnel Maintenance Man .....	15,764.72	25,952.16

**Section 28.** That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accountant IV.....	\$18,627.62	\$40,114.10
2. Airport Operations Agent III.....	\$18,627.62	\$40,114.10
3. Assistant Bureau Chief-Demolition.....	\$18,627.62	\$40,114.10
4. Assistant Financial Systems Coordinator.....	\$18,627.62	\$40,114.10
5. Assistant Personnel Administrator.....	\$18,627.62	\$40,114.10
6. Budget and Management Analyst.....	\$18,627.62	\$40,114.10
7. Chief Dog Warden.....	\$18,627.62	\$40,114.10
8. Labor Relations Assistant.....	\$18,627.62	\$40,114.10
9. Rehabilitation Supervisor.....	\$18,627.62	\$40,114.10
10. Superintendent of Sewer Maintenance.....	\$18,627.62	\$40,114.10
11. Supervisor of Architectural Construction.....	\$18,627.62	\$40,114.10
12. Supervisor of Personnel Records.....	\$18,627.62	\$40,114.10
13. Supervisor of Site Development.....	\$18,627.62	\$40,114.10
14. Supervisor of Vital Statistics.....	\$18,627.62	\$40,114.10
15. Systems Analyst.....	\$18,627.62	\$40,114.10

	<b>Minimum</b>	<b>Maximum</b>
16. Water Plant Shift Supervisor.....	\$8.96 per hour	\$19.29 per hour
17. Water Plant Shift Supervisor - Parma Control.....	\$8.96 per hour	\$19.29 per hour
18. Water System Construction Inspector Supervisor.....	\$18,627.62	\$40,114.10

**Section 29.** That the appointing authority shall fix salaries in the following classifications at not less than \$19,784.74 and not more than \$42,307.51 per annum:

1. Airport Maintenance Superintendent
2. Assistant Commissioner of Recreation
3. Assistant Contract Compliance Officer
4. Assistant Income Tax Financial Supervisor
5. Assistant Director of Public Health Nurses
6. Assistant Manager of Audit Control and Personnel
7. Assistant Manager of Recreation
8. Assistant Superintendent of Pumping
9. Assistant Superintendent of Purification
10. Auditor
11. Chief Alcoholism Coordinating Service
12. Chief of the Demolition Bureau
13. Chief Plan Examiner
14. City Planner
15. Deputy Commissioner of Recreation-Fiscal Control
16. Deputy Project Director
17. District Supervisor-Environmental Health
18. Emergency Medical Technician Supervisor
19. Income Tax Supervisor
20. Office of Professional Standards Investigative Auditor
21. Office of Professional Standards Research/Analyst
22. Project Program Director of Consumer Affairs
23. Recreation Center Manager
24. Superintendent of Light Equipment Maintenance
25. Superintendent of Vehicle Administrative Services
26. Supervisor Administrative Services - Data Processing Center
27. Supervisor of Milk Program
28. Supervisor of Vector Control
29. Welfare Liaison

**Section 30.** That the appointing authority shall fix salaries in the following classifications at not less than \$20,231.40 and not more than \$44,763.40 per annum:

1. Air Pollution Control, Engineer IV
2. Assistant Administrator
3. Assistant Health Center Director
4. Assistant Manager of Marketing
5. Central Payroll Supervisor
6. Chief Building Inspector
7. Chief Electrical Inspector
8. Chief Elevator Inspector
9. Chief Environmental Health-Engineering
10. Chief Heating Inspector
11. Chief Housing Inspector
12. Chief Plumbing Inspector
13. Chief Rehabilitation Supervisor
14. Contract Supervisor-Division of Purchases and Supplies
15. Data Processing Supervisor
16. Human Resources Contract Administrator
17. Manager, Public Utilities Bldg. Maintenance
18. Senior Systems Analyst
19. Shift Supervisor Operations
20. Superintendent of Distribution
21. Superintendent of Purification
22. Superintendent of Pumping
23. Supervising Tax Auditor
24. Supervisor of Civil Service Records

**Section 31.** That the appointing authority shall fix salaries in the following classifications at not less than \$22,333.40 and not more than \$47,338.17 per annum:

1. Airport Operations Superintendent
2. Airport Security Coordinator
3. Assistant Airport Safety Chief/Training Officer
4. Assistant Chief of Pumping
5. Assistant Chief of Purification
6. Assistant Manager of Box Office
7. Assistant Manager-Human Resources Planning and Management
8. Assistant Manager of Stage

9. Chief of Bureau of Accounts and Collections
10. Chief Engineer - Traffic
11. Chief of Bureau of Industrial Air Pollution
12. Chief of Bureau of Smoke Abatement
13. Chief Senior Electric Switchboard Operator
14. Chief of Tax Auditing Bureau
15. Chief of Tax Records Bureau
16. Deputy Commissioner of Purchases and Supplies
17. Health Center Director
18. Human Resources Fiscal Administrator
19. Income Tax Financial Supervisor
20. Manager of Assigned Maintenance
21. Manager of Parks and Recreation Research and Planning
22. Manager of Parks and Urban Forestry
23. Manager of Shops and Field Equipment
24. Manager of Site Development
25. Project Director
26. Programming Supervisor
27. Superintendent of Sidewalks
28. Superintendent of Water Plant Maintenance
29. Warehouse Inventory Manager

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

**Section 33.** That the appointing authority shall fix salaries in the following classifications at not less than \$26,273.96 and not more than \$52,695.94 per annum:

1. Assistant Commissioner of Cleveland Public Power
2. Airport Maintenance Manager
3. Airport Operations Manager
4. Airport Safety Chief
5. Assistant Commissioner of Administrative Services
6. Assistant Commissioner of Building and Housing
7. Assistant Commissioner of Neighborhood Revitalization
8. Assistant Commissioner of Neighborhood Development
9. Assistant Commissioner of Neighborhood Services
10. Assistant Commissioner of Motor Vehicles Maintenance
11. Assistant Commissioner of Streets
12. Assistant Commissioner of Waste Collection and Disposal



13. Assistant Commissioner of Water Pollution Control
14. Assistant Director of Community Relations Board
15. Assistant Income Tax Administrator
16. Assistant Superintendent of Electric Transmission and Distribution
17. Chief Civil Service Examiner
18. Chief of Pharmacy Services
19. Chief of Pumping
20. Chief of Water Distribution
21. Chief Training Officer
22. City Hall Custodian
23. Community Development Executive Assistant
24. Contract Compliance Officer
25. Deputy Commissioner of Accounts
26. Deputy Commissioner of Air Pollution Control
27. Deputy Commissioner of Airports
28. Deputy Commissioner of Convention Center and Stadium
29. Deputy Commissioner of Parks and Urban Forestry
30. Deputy Commissioner of Maintenance
31. Deputy Commissioner of Parks and Urban Forestry/Golf Courses and Cemeteries
32. Deputy Commissioner of Recreation
33. Deputy Commissioner of Convention Center and Stadium/West Side Market
34. Director of Public Health Nurses
35. General Manager of Administrative Services
36. Office of Professional Standards Administrator
37. Manager-Human Resources Program Planning and Management
38. Personnel Administrator
39. Senior Budget and Management Analyst
40. Superintendent of Industrial Claims
41. Superintendent of Motorized Equipment
42. Utilities Comptroller

**Section 34.** That the appointing authority shall fix salaries in the following classifications at not less than \$27,325.56 and not more than \$57,679.47 per annum:

1. Assistant Commissioner of Water
2. Assistant Secretary of Sinking Fund Commission
3. Chief of Health Planning and Evaluation
4. Chief-Systems Analysis
5. Consulting Engineer
6. Harbor Manager
7. Labor Relations Officer
8. Manager of Architecture
9. Manager of Compensation and Classifications
10. Manager of Education and Research
11. Manager of Employee Accident Control
12. Manager of Employee Relations
13. Manager of Equal Employment Opportunity
14. Manager of Recruitment
15. Minority Business Development Administrator
16. Project Coordinator
17. Risk Manager
18. Superintendent of Electric Trouble Operations

**Section 35.** That the appointing authority shall fix salaries in the following classifications at not less than \$30,214.95 and not more than \$66,350.60 per annum:

1. Administrator of Engineering and Planning
2. Airport Chief Engineer
3. Airport Planning Environmental Officer
4. Air Trade Development Manager
5. Assistant Director of Human Resources and Economic Development
6. Budget Administrator
7. Chief of Personnel Management
8. Comptroller-Airports
9. Data Base Analyst
10. Deputy Commissioner of Building and Housing
11. Deputy Commissioner of Cleveland Hopkins International Airport
12. Deputy Commissioner of Parks, Maintenance and Properties
13. Deputy Commissioner of Water
14. Deputy Commissioner of Water Pollution Control
15. Executive Commissioner for Administration of Department of Finance
16. Executive Commissioner of Parks and Urban Forestry
17. Hardware Analyst
18. Labor Relations Manager
19. Manager of Electric System Operation
20. Manager-Human Resources Monitoring and Evaluation
21. Manager of Marketing
22. Manager of Properties
23. Manager of Public Service Operations

24. Manager of Telecommunications
25. Project Leader/Applications
26. Software Analyst
27. Superintendent of Electric Transmission and Distribution
28. Supervisor of Computer Operations
29. Supervisor Hardware Evaluation
30. Telecommunications Analyst
31. Veterinarian in Charge of Spay and Neuter Clinic

**Section 36.** That the appointing authority shall fix the salaries in the following classifications in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. City Comptroller .....	\$41,312.22	\$81,288.87
2. City Treasurer .....	41,312.22	81,288.87
3. Commissioner of Accounts .....	38,951.52	77,869.16
4. Commissioner of Administrative Services Community Development .....	38,951.52	77,869.16
5. Commissioner of Architecture .....	41,312.22	87,068.48
6. Commissioner of Building and Housing .....	43,672.91	86,418.42
7. Commissioner of Burke Airport .....	38,951.52	77,869.16
8. Commissioner of Cleveland Hopkins International Airport .....	41,312.22	87,068.48
9. Commissioner of Cleveland Public Power.....	43,672.91	86,418.42
10. Commissioner of Convention Center .....	43,672.91	86,418.42
11. Commissioner of Emergency Medical Services .....	41,312.22	81,288.87
12. Commissioner of Engineering and Construction .....	43,672.91	86,418.42
13. Commissioner of Environment .....	41,312.22	81,288.87
14. Commissioner of Health .....	43,672.91	86,418.42
15. Commissioner of House Corrections .....	38,951.52	77,869.16
16. Commissioner of Information Systems Services.....	50,400.00	86,418.42
17. Commissioner of Licenses and Assessments.....	38,951.52	77,869.16
18. Commissioner of Motor Vehicle Maintenance .....	38,951.52	77,869.16
19. Commissioner of Neighborhood Revitalization .....	41,312.22	81,288.87
20. Commissioner of Parking Facilities .....	38,951.52	77,869.16
21. Commissioner of Park Maintenance and Properties ...	41,312.22	87,068.48
22. Commissioner of Printing and Reproduction .....	38,951.52	77,869.16
23. Commissioner of Property Management .....	43,672.91	86,418.42
24. Commissioner of Purchases and Supplies .....	41,312.22	81,288.87
25. Commissioner of Recreation .....	41,312.22	81,288.87
26. Commissioner of Neighborhood Development .....	38,951.52	77,869.16
27. Commissioner of Neighborhood Services .....	41,312.22	81,288.87
28. Commissioner of Research/Planning and Development	38,951.52	77,869.16
29. Commissioner of Streets .....	38,951.52	77,869.16
30. Commissioner of Traffic Engineering and Parking ...	41,312.22	81,288.87
31. Commissioner of Utilities Engineering .....	41,312.22	81,288.87
32. Commissioner of Utilities Fiscal Control .....	38,951.52	77,869.16
33. Commissioner of Waste Collection and Disposal .....	38,951.52	77,869.16
34. Commissioner of Water .....	43,672.91	86,418.42
35. Commissioner of Water Pollution Control .....	38,951.52	77,869.16
36. Income Tax Administrator .....	41,312.22	81,288.87
37. Manager of Internal Audit .....	38,951.52	77,869.16

**Section 37.** That the appointing authority shall fix the salaries of Deputy Commissioner-Division of Cleveland Public Power, Assistant Manager - Applications Development and Technical Support and Assistant Manager - Data Processing Operations and Assistant to Manager of Planning at not less than \$46,224.91 and not more than \$73,604.16 per annum.

**Section 38.** That the appointing authority shall fix salaries in the following classifications at not less than \$39,937.34 and not more than \$64,737.89 per annum:

1. Data Base Administrator
2. Supervisor Applications Development
3. Supervisor Software Support
4. Supervisor Quality Assurance

**Section 39.** That the appointing authority shall fix the salary of the Manager, Data Processing Center, at not less than \$50,540.00 per annum and not more than \$82,345.55 per annum. Moreover, not more than one person shall be appointed to such classification.

**Section 40. Part-Time/Seasonal Group**

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Box Office Cashier .....	\$ 10.30 per hour	\$ 12.29 per hour
2. Chaplain .....	\$ 6.74 per hour	\$ 9.72 per hour

		<b>Minimum</b>	<b>Maximum</b>
3.	Checker .....	\$ 4.28 per hour	\$ 6.29 per hour
4.	Conservation Aide .....	\$ 4.50 per hour	\$ 5.11 per hour
5.	Dentist .....	\$ 13.38 per hour	\$ 24.18 per hour
6.	Head Usher .....	\$ 4.82 per hour	\$ 9.88 per hour
7.	Medical Examiner .....	\$ 21.40 per hour	\$ 36.60 per hour
8.	Organ Tuner .....	\$ 9.63 per hour	\$ 21.21 per hour
9.	Park Maintenance Aide .....	\$ 4.82 per hour	\$ 7.48 per hour
10.	Ranger .....	\$ 4.71 per hour	\$ 9.49 per hour
11.	School Crossing Guard .....	\$ 16.50 per day	\$ 18.39 per day
12.	Section Supervisor.....	\$ 5.50 per hour	\$ 6.00 per hour
13.	Snow Removal Vehicle Operator .....	\$ 10.40 per hour	\$ 11.35 per hour
14.	Stage Hand .....	\$ 18.55 per hour	\$ 21.70 per hour
15.	Stage Hand Casual .....	\$ 20.00 per hour	\$ 21.86 per hour
16.	Stage Hand - Show Rate .....	\$ 3.00 per show	\$ 1.29 per show
		<b>Minimum</b>	<b>Maximum</b>
77.	Student Aide .....	\$ 4.25 per hour	\$ 7.34 per hour
18.	Student Assistant .....	\$ 4.25 per hour	\$ 6.47 per hour
19.	Usher .....	\$ 4.82 per hour	\$ 5.59 per hour
20.	Usher Captain .....	\$ 5.89 per hour	\$ 6.77 per hour

**Section 41. Hourly Rate-Crafts**

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	<b>Effective Date</b>	<b>Minimum</b>	<b>Maximum</b>
1.	Asbestos Worker .....	\$21.46	\$26.83
2.	Asphalt Construction Foreman .....	16.83	25.25
3.	Asphalt Raker .....	16.14	24.22
4.	Asphalt Tamper .....	16.14	24.22
5.	Boiler Maker .....	22.71	28.39
6.	Bricklayer .....	21.22	26.52
7.	Bricklayer Foreman .....	22.22	27.52
8.	Bricklayer Helper .....	16.58	24.87
9.	Carpenter .....	21.54	26.93
10.	Carpenter Foreman .....	22.54	28.18
11.	Carpenter Apprentice .....	5.97	16.43
12.	Cement Finisher .....	22.34	27.67
13.	Cement Finisher Foreman .....	23.34	26.74
14.	Construction Equipment Operator - Group A .....	21.44	26.68
15.	Construction Equipment Operator - Group B .....	21.32	26.53
16.	Construction Equipment Operator - Group C .....	21.04	26.30
17.	Construction Equipment Operator - Oiler - Group F .....	16.38	20.47
18.	Curb Cutter .....	16.50	24.75
19.	Electrical Worker .....	22.70	28.37
20.	Electrical Worker Foreman .....	23.70	30.47
21.	Glazier .....	21.52	26.90
22.	Ironworker .....	22.77	28.46
23.	Ironworker Foreman .....	23.77	29.71
24.	Jackhammer Operator .....	16.14	24.22
25.	Master Mechanic .....	21.84	27.18
26.	Overhead Floodlight Maintenance Man .....	21.19	26.49
27.	Painter .....	20.65	25.81
28.	Painter - Apprentice .....	6.95	14.89
29.	Painter Foreman .....	21.65	26.51
30.	Paver .....	16.36	24.55
31.	Paving Foreman .....	16.83	25.25
32.	Pipefitter (Welder) .....	23.73	29.66
33.	Pipefitter Foreman .....	24.73	30.66
34.	Plasterer .....	20.67	25.84
35.	Plumber (Welder) .....	23.30	29.13
36.	Plumber Foreman .....	24.30	30.13
37.	Roofer .....	21.54	26.12
38.	Sheet Metal Worker .....	22.51	28.14
39.	Sheet Metal Worker Foreman .....	23.51	29.14
40.	Sign Painter .....	22.55	25.61
41.	Sign Painter Unit Leader .....	23.55	26.61
42.	Spray Painter .....	20.22	23.34
43.	Superintendent of Construction Equipment .....	16.83	25.25

**Section 42. Municipal Court Employees**

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>	
1.	Administrative Assistant, Special .....	\$17,253.19	\$42,038.72
2.	Chief Court Reporter .....	19,705.93	39,104.75
3.	Chief Deputy Probation Officer .....	22,911.43	58,213.17

	<b>Minimum</b>	<b>Maximum</b>
4. Chief Housing Specialist .....	18,872.78	51,216.85
5. Chief Probation Officer .....	27,202.18	65,966.26
6. Court Reporter .....	17,078.47	36,980.41
7. Housing Court Reporter .....	17,516.38	45,131.69
8. Housing Court Referee .....	21,820.41	58,212.54
9. Housing Specialist .....	17,516.38	45,131.69
10. Information Consultant .....	10,815.00	20,181.62
11. Interpreter .....	8,840.00	23,817.47
12. Junior Clerk .....	9,909.72	22,929.39
13. Jury Attendant .....	8,840.00	19,686.89
14. Personal Stenographer .....	10,815.00	21,361.91
15. Private Secretary .....	13,958.10	31,038.70
16. Probation Officer, General .....	18,393.06	45,133.30
17. Probation Officer Supervisor .....	19,885.91	51,217.48
18. Psychiatrist .....	18,385.50	50,048.33
19. Psychologist I, II, III .....	17,253.19	45,133.30
20. Psychiatric Case Worker I, II, III .....	17,078.47	39,836.96
21. Senior Clerk .....	11,366.40	25,927.09
22. Stenographer I - Courts .....	9,994.85	23,988.13
23. Stenographer II - Courts .....	11,366.40	25,927.09
24. Stenographer III - Courts .....	11,933.90	27,032.89
25. Telephone Operator .....	9,062.10	24,876.05
26. Typist .....	9,994.85	23,988.13

**Section 43. Division of Police, Chief of Police and Deputy Chief of Police**

The annual salaries of persons appointed to the following ranks of the Division of Police shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Chief of Police .....	\$69,682.20	\$104,207.96
2. Deputy Chief of Police .....	63,966.00	95,109.51

Notwithstanding the provisions of Section 171.05 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Chief of Police shall not be entitled to receive any overtime compensation while serving as Chief of Police.

**Section 44. Division of Police; Supervisory Ranks.**

The annual salaries of persons appointed to the following ranks of the Division of Police shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Commander of Police .....	\$61,819.00	\$66,109.00
2. Deputy Inspector .....	61,819.00	66,109.00
3. Captain .....	53,724.00	56,990.00
4. Lieutenant .....	46,314.00	49,130.00
5. Sergeant .....	39,926.00	42,353.00

**Section 45. Division of Police, Patrol Officers**

The annual salaries of persons appointed to the ranks of patrol officer shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Patrol Officer I .....	\$33,919.06	\$36,511.74
2. Patrol Officer II .....	31,214.36	33,112.19
3. Patrol Officer III .....	30,714.36	32,612.19
4. Patrol Officer IV .....	29,714.36	31,612.19
5. Trainee .....	\$8.50 per hour	\$8.84 per hour

Notwithstanding the above schedule for Patrol Officer I, the maximum annual salaries of Patrol Officers I whose annual salaries on May 1, 1981, were \$19,381.43 or more shall be \$37,031.74.

**Section 46. Division of Police, Various Positions**

The annual salaries of persons appointed to the following classifications within the Division of Police shall be fixed by the Director of Public Safety within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Junior Assistant Secretary of Police .....	\$26,213.25	\$47,303.05
2. Surgeon of Police .....	43,107.75	54,687.54
3. Superintendent of Criminalistics .....	30,086.70	55,825.23
4. Superintendent of Safety Buildings .....	30,086.70	55,825.23

**Section 47. Division of Fire**

The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Fire Chief .....	\$64,407.00	\$104,207.96
2. Assistant Fire Chief .....	56,790.30	84,667.85

**Section 48. Division of Fire; Various Positions.**

The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Battalion Chief .....	\$59,374.78	\$59,874.18
2. Captain .....	51,116.18	51,616.18
3. Lieutenant .....	43,996.71	44,496.71
4. Firefighter		
Journeyman .....	37,859.23	38,359.23
Apprentice - Medic III .....	34,787.66	34,787.66
Apprentice - Medic II .....	34,287.66	34,287.66
Apprentice - Medic I .....	33,287.66	33,287.66
Trainee .....	\$ 8.50 per hour	\$ 9.11 per hour

**Section 49.** That existing Ordinance No. 2114-95, passed November 27, 1995, as from time to time amended, is hereby repealed, effective April 1, 1996.

**Section 52.** 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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 487-96.**  
**By Councilman Rokakis (by departmental request).**  
**An emergency ordinance authorizing and directing the payment of membership dues of the City of Cleveland in various professional organizations for the year 1996.**

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

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

**Section 1.** That the Director of Finance is hereby authorized and directed to cause payment of 1996 membership dues of the City of Cleveland to be made to the Ohio Municipal League, from Fund No. 01-99-98-0231, Request No. 20448. Said membership dues will include forty-five (45) subscriptions to Cities and Village Magazine.

**Section 2.** That the Director of Finance is hereby authorized and directed to cause payment of 1996 membership dues of the City of Cleveland to be made to NOACA, from Fund No. 01-99-98-0232, Request No. 20448.

**Section 3.** That the Director of Finance is hereby authorized and directed to cause payment of 1996 membership dues of the City of Cleveland to be made to the Mayors and Managers Association, from Fund No. 01-99-98-0233, Request No. 20449.

**Section 4.** That the Director of Finance is hereby authorized and directed to cause payment of 1996 membership dues of the City of Cleveland to be made to the U.S. Conference of Mayors, from Fund No. 01-99-98-0237, Request No. 20449.

**Section 5.** That the Director of Finance is hereby authorized and directed to cause payment of 1996 membership dues of the City of Cleveland to be made to the National League of Cities, from Fund No. 01-99-98-0238, Request No. 20450.

**Section 6.** That the Director of Finance is hereby authorized and directed to cause payment of 1996 membership dues of the City of Cleveland to be made to the Downtown Development Coordinators, from Fund No. 01-99-98-0230, Request No. 20450.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 563-96.**  
**By Councilmen Patmon and Rokakis (by departmental request).**  
**An emergency ordinance authorizing the Director of Personnel and Human Resources to enter into a Lease Agreement with Maxine G. Levin and Robert M. Levin, Trustees, for the use and occupancy by the Department of Personnel and Human Resources of the certain space located in the 1021 Euclid Building, 1021 Euclid Avenue, Cleveland, Ohio.**

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

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

**Section 1.** That, notwithstanding and as an exception to Chapter 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Personnel and Human Resources is hereby authorized to enter into a Lease Agreement ("Lease") with Maxine G. Levin and Robert M. Levin, Trustees, for the use and occupancy by the Department of Personnel and Human Resources for approximately 10,800 square feet located on the fifth floor of the 1021 Euclid Building, 1021 Euclid Avenue, Cleveland, Ohio, for use as office space for the Cleveland Job Training and Placement System of the Department of Personnel and Human Resources. The term of such Lease shall be on a month-to-month basis for approximately five (5) months beginning April 1, 1996. Rent shall be \$5,133 per month, including electricity, (which average rate shall be approximately

\$800 per month) and shall be paid for from Fund No. 15 SF 060.

**Section 2.** That the Lease herein authorized shall be prepared by the Director of Law and shall contain such additional conditions and provisions as said Director deems necessary to protect and benefit the public interest.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 564-96.**  
**By Councilman Paulenske.**  
**An emergency ordinance to amend Section 1 of Ordinance No. 100-96 relating to the issuance of a permit for the 1996 Cleveland Walk on April 28, 1996, sponsored by the March of Dimes.**

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 1 of Ordinance No. 100-96, passed January 22, 1996, be and the same is hereby amended to read as follows:

"Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of a 1996 Cleveland Walk, sponsored by the March of Dimes, on April 28, 1996, beginning at the Port of Cleveland, cross the street to the south side of Erieside, go west to W. 3rd St., turn left on W. 3rd St. on the east side of the street and go south to Lakeside, turn left on Lakeside on the north side of the street and go east to E. 6th St., cross Lakeside (turn right) to the west side of E. 6th St. and go south to the Board of Education

building (which is the first checkpoint), turn left, cross E. 6th St. on the north side of Rockwell and continue on the north side of Rockwell to E. 9th St., turn right on the west side of E. 9th St. and go south to Eagle, turn right on Eagle and go west to the plaza between Jacobs Field and the Gund Arena (which is the second checkpoint), turn right on Ontario on the west side of the street, turn left on Prospect on the south side of the street, turn right on W. 6th St. to St. Clair on the south side of the street, turn left on St. Clair and cross to the west side of Old River Rd., turn right on the west side of Old River Rd. and go north to the corner of Old River Rd. and Front St., which is checkpoint number three at Fagan's, turn right on Front St. and go east to W. 9th St., cross W. 9th St. to the east side of the street and turn right on W. 9th St., go south on W. 9th St. to Superior, turn left on Superior and go east on the south side of the street to the northwest quadrant of Public Square, which is checkpoint number four, continue east on the south side of Superior, cross E. 9th St. and turn left on the east side of E. 9th St., go north on the east side of E. 9th St. to checkpoint number eight at the North Point Building, continue north on the east side of E. 9th St. to the intersection with Erieside, turn left, cross E. 9th St. to the north side of Erieside and go west to the Port of Cleveland property and turn right into the Port; the short route will cross E. 9th St. and turn left (north) on the east side of E. 9th St., go north on the east side of E. 9th St. to checkpoint number eight at the North Point Building, continue north on the east side of E. 9th St. to the intersection with Erieside, turn left, cross E. 9th St. to the north side of Erieside and go west to the Port of Cleveland property, turning right into the Port; and the regular route continuing east on the south side of Superior to E. 12th St., turn right and cross Superior to the west side of E. 12th St. and go south to Chester Commons, which is checkpoint number five, continue south on the west side of E. 12th St. to Euclid, turn left, cross E. 12th St. and go east on the north side of Euclid to E. 21st St., cross E. 21st St. to the east side of the road and cross to the south side of Euclid to checkpoint number six at Rascal House, continue east on the south side of Euclid to E. 30th St., turn left, cross Euclid at E. 30th St. to the west side of E. 30th St., go north on E. 30th St. to the northwest corner of Payne and E. 30th St., which is Asian Plaza, the seventh checkpoint, go west on the north side of Payne to E. 13th St., cross E. 13th St. to the west side of the street and turn right, go north on E. 13th St. to Lakeside, cross Lakeside to the north side of the street and turn left to checkpoint eight, North Point Building, at the corner of E. 9th St. and Lakeside, turn right on the east side of E. 9th St. and go north to the intersection with Erieside, turn left and cross E. 9th St. to the north side of Erieside and go west to the Port of Cleveland property, turn right into the Port and finish, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order

to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law."

**Section 2.** That Section 1 of Ordinance No. 100-96, passed January 22, 1996, be and the same 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 April 1, 1996.  
Effective April 10, 1996.

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**Ord. No. 565-96.**

**By Councilman Westbrook.**

**An emergency ordinance to amend Section 1 of Ordinance No. 98-96, passed January 22, 1996, as amended by Ordinance No. 445-96, passed March 11, 1996, relating to a requirement contract with Legal News Publishing Company for the printing of the City Record and the furnishing of other printed and accessory services.**

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 1 of Ordinance No. 98-96, passed January 22, 1996, as amended by Ordinance No. 445-96, passed March 11, 1996, is hereby amended to read as follows:

Section 1. That the Clerk of Council is hereby authorized to enter into a requirement contract with Legal News Publishing Company for the printing of the City Record and the furnishing of other printed and accessory services for the Clerk of Council for a period not to exceed eighteen months commencing on January 1, 1996, and expiring June 30, 1997, in accordance with the specifications upon which the bid of Legal News Publishing Company was received.

**Section 2.** That existing Section 1 of Ordinance No. 98-96, passed January 22, 1996, as amended by Ordinance No. 445-96, passed March 11, 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 April 1, 1996.  
Effective April 10, 1996.

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**Ord. No. 566-96.**

**By Councilmen Westbrook, Patton, and McGuirk.**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 111.072 thereof, relating to the hiring of professional utility consultants by City Council.**

Whereas, in carrying out its leg-

islative responsibilities in connection with approving utility rates for the Divisions of Cleveland Public Power, Water and Water Pollution Control, this Council must fully evaluate the needs of utility consumers; and

Whereas, this Council deems it necessary and appropriate to retain the services of qualified professionals to assist the Council in its review of utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control, with the cost of such services to be paid by the affected utility; 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 Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 111.072 thereof, to read as follows:

**Section 111.072 Hiring of Professional Utility Consultants by City Council**

(a) On behalf of City Council, the President of Council is hereby authorized to enter into contract with professional consultants to provide assistance to the members of Council in the investigation of utility related matters pertaining to the Divisions of Cleveland Public Power, Water and Water Pollution Control, including but not limited to, utility rate increases, service efficiency issues, capital project performance, and operational and financial assessments. The cost of said contracts shall not exceed annually Fifty Thousand Dollars (\$50,000.00) in the aggregate and shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 58 SF 001 and such other funds deemed appropriate by the Director of Finance.

(b) That the Director of Public Utilities shall provide notice of future water and sewer rate increases by publishing such rate increases in the City Record at least six (6) months prior to the introduction of legislation approving said rate increases and, at the same time, by providing written notice of the proposed increases to all members of Council.

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

Passed April 1, 1996.  
Effective April 11, 1996 without the signature of the Mayor.

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**Ord. No. 567-96.**

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

**An emergency ordinance giving consent of the City of Cleveland for the repair and resurfacing of Turney Road to the County of Cuyahoga; authorizing the Director of Public Service to enter into any agreements relative thereto; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; and authorizing said director to**

**cause payment of the City of Cleveland's share to the County of Cuyahoga for the cost of repair and resurfacing Turney Road.**

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

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

**Section 1.** That it is declared to be in the public interest that the consent of the City of Cleveland is hereby given to the County of Cuyahoga (the "County") to construct the following improvement in accordance with plans, specifications and estimates approved by the County: The repair and resurfacing of Turney Road from the Cleveland South corporation line to Warner Road (the "Improvement")

**Section 2.** That the City hereby proposes to cooperate with the County in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement less any funds administered by the Ohio Public Works Commission which are used for the Improvement, and less the County's portion of the cost of the Improvement.

**Section 3.** That the Director of Public Service is hereby authorized to enter into such agreements with the County as are necessary to complete the planning and construction of the Improvement.

**Section 4.** That upon completion of the Improvement, the City thereafter will:

a) Keep the affected highway open to traffic at all times;

b) Maintain the Improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance;

c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the County, hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the limits of the right-of-way;

d) Place and maintain all traffic control devices in accordance with the Ohio Manual of Uniform Traffic Control Devices pursuant to the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and

e) Prohibit all parking within the limits of the roadway which is a part of the Improvement in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by City ordinance or resolution.

**Section 5.** a) That all existing streets and public rights-of-way within the City which are necessary for the Improvement shall be made available therefor.

b) That in the event any additional right-of-way is required for the Improvement, the City will arrange for the acquisition thereof.

c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty (20) feet or greater) within the limits of the Improvement in accordance with applicable sections of the Ohio Revised Code.

d) That the street within the limits of the Improvement is hereby designated a through highway within the meaning of Section 4511.07(F) of the Ohio Revised Code.

e) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the Improvement, that said companies have agreed to make any and all necessary rearrangements in such manner as to be clear of any construction called for by the plans for the Improvement and that said companies have agreed to make such necessary rearrangements immediately after notification by the City or the County.

f) That the City, at its own expense, shall make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other City-owned utilities and appurtenances thereto which do not comply with the provisions of ODOT Directive No. 28-A, whether inside or outside the corporate limits of the City, as may be necessary to conform to the Improvement, and that said rearrangements shall be done at such time as requested by the County.

g) That the County will participate in the costs of alterations of governmentally-owned utility facilities which come within the provisions of ODOT Directive No. 28-A to the same extent that it participates in the other costs of the Improvement, provided that such participation will not extend to additions or betterments of existing facilities.

h) That the construction, reconstruction and rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operations of the contractor constructing the Improvement, and all backfilling of trenches made necessary by such utility rearrangement shall be performed in accordance with the provisions of the ODOT Construction and Material Specifications and shall be subject to approval by the County.

i) That the City hereby agrees that the County shall be and hereby is saved harmless from any and all damages or claims arising from or growing out of the certification or obligations made or agreed to in divisions a), b), e), f) and h), of this section.

j) That stop signs affecting the movement of traffic on any street within the limits of the Improvement shall be removed and no stop signs will be erected on same except at intersections with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" are met.

k) That no rule or regulation may be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway.

**Section 6.** That the Council of the City hereby requests the Director of ODOT to proceed with the Improvement.

**Section 7.** That the Director of Public Service is hereby authorized to enter into an agreement with the Board of Commissioners of the County concerning the financing of the Improvement, which agreement shall contain without limitation terms substantially similar to the following:

a) That the City will prepare or cause to be prepared construction plans and specifications for the Improvement, including necessary engineering reports, under current

County Engineer standards for construction of County roads and bridges.

b) That the County will supervise and administer or cause to be supervised and administered the construction contract for the Improvement, will review the construction plans for conformance with division a) of this section and make an inspection of the completed project.

c) That if, by ordinance of this Council, the City requests the County, to include in the Improvement the construction of sanitary sewers, water lines, sewers for drainage of the area surrounding the Improvement, sidewalks, alternate bid items or other items that are in addition to those now existing in the plans for the Improvement and not provided for elsewhere in the agreement, the County will do so, provided that the construction of such additional items is approved by the County and the City, and provided further that the City agrees to pay or cause to be paid the cost of said construction and of preliminary and design engineering therefor, but the City shall not be responsible for the cost of supervision of said construction.

d) That the City hereby agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project.

e) That if the project is financed as a Federal-aid project, eligible costs of the Improvement shall be financed from the aforesaid funds.

**Section 8.** That the Director of Public Service is hereby authorized to apply to the County for an allocation from the County Motor Vehicle License Tax fund to pay the County portion of the project, and to enter into such agreements with the County as are necessary to finance the Improvement.

**Section 9.** That the Director of Public Service is hereby authorized to apply to the County Board of Commissioners for approval to use County Motor Vehicle License Tax funds to pay for the Improvement, to accept said funds and to file all papers and execute all documents necessary to receive said funds; and that said funds be and are hereby appropriated for the purposes set forth above.

**Section 10.** That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages specified in this agreement.

**Section 11.** That this Council hereby authorizes payment to the County of Cuyahoga of the City's share of the cost of the improvement of the repair and resurfacing of Turney Road from the Cleveland South corporation line to Warner Road from Fund Nos. 20 SF 302, 20 SF 322, 20 SF 190, and 20 SF 181, Request No. 21792.

**Section 12.** That the Clerk of Council is hereby authorized and directed to transmit to the Director of ODOT and to the County three (3) certified copies of this ordinance immediately upon the taking effect thereof, and it shall become the basis for proceeding with the Improvement.

**Section 13.** 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 April 1, 1996.  
Effective April 10, 1996.

**Ord. No. 578-96.**  
**By Councilman Westbrook.**  
**An emergency ordinance authorizing the Director of Public Utilities to enter into contract with Cleveland Housing Network to install water saving devices in the homes of low-income City of Cleveland customers.**

Whereas, this ordinance consti-

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

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

**Section 1.** That the Director of Public Utilities is hereby authorized and directed to enter into contract with Cleveland Housing Network to install water saving devices in the homes of low-income City of Cleveland customers.

**Section 2.** That the costs of the contract authorized by Section 1 herein shall be paid from such Fund No. 52, SF 001, or such other funds of the Division of Water, Department of Public Utilities deemed appropriate by the Director of Finance.

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

Passed April 1, 1996.  
Effective April 10, 1996.

**COUNCIL COMMITTEE  
MEETINGS**

NO MEETINGS

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Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
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