

The City Record

Official Publication of the City of Cleveland

December the Sixteenth, Nineteen Hundred and Ninety-Eight


Mayor	
Michael R. White	
President of Council	
Jay Westbrook	
Clerk of Council	
Artha Woods	
Ward	Name
1	Joseph T. Jones
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	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Larry Moran
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL—LEGISLATIVE President of Council—Jay Westbrook

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Larry Moran	3584 West 46th Street	44102
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111
	Clerk of Council—Artha Woods, 216 City Hall, 664-2840. First Assistant Clerk—Sandra Franklin.		
MAYOR—Michael R. White			
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy			
Barry Withers, Executive Assistant for Administration			
Judith Zimomra, Executive Assistant for Service			
Kenneth Silliman, Executive Assistant for Economic Development			
Laura Ann Williams, Director, Office of Equal Opportunity			
Milan T. Polacek, Executive Assistant for Legislative Affairs			
DEPT. OF LAW—Cornell P. Carter, Director, Lessie M. Milton, Chief Counsel, Room 106			
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch – Justice Center, 8th Flr., Court Towers, 1200 Ontario Street			
Karen E. Martines, Law Librarian, Room 100			
DEPT. OF FINANCE—Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit			
DIVISIONS—Accounts—Gayle Goodwin Smith, Commissioner, Room 19 City Treasury – Mary Christine Jackman, Treasurer, Room 115			
Assessments and Licenses – Robert J. Schneider, Commissioner, Room 122			
Purchases and Supplies – William A. Moon, Commissioner, Room 128			
Printing and Reproduction – James D. Smith, Commissioner, 1735 Lakeside Avenue			
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue			
Financial Reporting and Control – Robert Dolan, Controller, Room 18			
Information Systems Services – Hamid Manteghi, 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 – Morry Blech, Commissioner			
Cleveland Public Power – James F. Majer, Commissioner			
Street Lighting Bureau – Frank Schilling, Acting Chief.			
DEPT. OF PORT CONTROL—Solomon F. Balraj, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive;			
Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner			
Burke Lakefront Airport – Michael C. Barth, Commissioner			
DEPT. OF PUBLIC SERVICE—Henry Guzmán, Director, Room 113			
DIVISIONS—Waste Collection and Disposal – Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.			
Streets – Randell T. Scott, Commissioner, Room 25			
Engineering and Construction – JoMarie Wasik, Acting Commissioner, Room 518			
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards			
Architecture – Kenneth Nobilio, Commissioner, Room 517			
DEPT. OF PUBLIC HEALTH—Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.			
DIVISIONS—Health—Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue			
Environment – Eric Myles, Acting Commissioner, Mural Building, 1925 St. Clair Avenue			
Correction – Thomas Hardin, Commissioner, Cooley Farms, 4041 North- field Road			
DEPT. OF PUBLIC SAFETY—William M. Denihan, Director, Room 230.			
DIVISIONS—Police – Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street			
Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue			
Traffic Engineering & Parking – _____, Commissioner, 2001 Payne Ave.			
Dog Pound – John Baird, Chief Dog Warden, 2690 W. 7th Street			
Emergency Medical Service – Bruce Shade, Commissioner, 1708 South Pointe Drive			
DEPT. OF PARKS, RECREATION & PROPERTIES—Nicholas P. Jackson, 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, East 49th & Harvard			

Parking Facilities – Alfred T. Miller, Jr., 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 – Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT—Linda M. Hudecek, Director,
3rd Floor, City Hall.

DIVISIONS—Administrative Services—Terrence Ross, Commissioner.
Neighborhood Services – Louise V. Jackson, Commissioner.
Neighborhood Development – Donald T. Moss, 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—Susan E. Axelrod, Director, Room 122

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

CIVIL SERVICE COMMISSION—Room 119, Freddie J. Fenderson,
President; Timothy J. Cosgrove, Vice President; Cynthia Sullivan,
Secretary; Margaret Hopkins, Member, Earl Preston, Member.

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

BOARD OF ZONING APPEALS—Room 516, Carol Johnson, Chairman;
Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek,
Eugene Cranford, Jr., Secretary.

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

BOARD OF REVISION OF ASSESSMENTS—Law Director Cornell P.
Carter, President; Finance Director Martin L. Carmody, Jr., Secretary;
Council President Jay Westbrook.

BOARD OF SIDEWALK APPEALS—Service Director Henry Guzmán;
Law Director Cornell P. Carter; Councilman Roosevelt Coats.

BOARD OF REVIEW—(Municipal Income Tax)—Law Director Cornell
P. Carter; Utilities Director Michael Konicek; Council President Jay
Westbrook.

CITY PLANNING COMMISSION—Room 501—Hunter Morrison, Director;
Rev. Albert T. Rowan, Chairman; _____, Vice Chairman, David
Bowen, Anthony J. Coyne, Lawrence A. Lumpkin, Gloria Jean Pinkney,
Councilman Edward W. Rybka.

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

MORAL CLAIMS COMMISSION—Law Director Cornell P. Carter; Chairman;
Finance Director Martin L. Carmody, Jr.; Council President Jay Westbrook;
Councilman Roosevelt Coats; Councilman Martin J. Sweeney.

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

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

CLEVELAND LANDMARKS COMMISSION—Room 519, _____,
Director; R. Schanfarber, Chairman; Paul Volpe, Vice Chairman; Robert
Keiser, Secretary; Judge Lillian Burke, James Gibans, Hunter Morrison,
Kenneth Nobilio, Theodore Sande, Randall Shorr, Shirley Thompson,
Councilman Craig E. Willis, Councilman Joe Cimperman.

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

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

Earle B. Turner – Clerk of Courts, Linda M. DeLillo—Court Administrator,
Robert C. Townsend, II—Bailiff; Kenneth Thomas—Chief Probation Officer,
Michelle L. Paris—Chief Magistrate

The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 85

WEDNESDAY, DECEMBER 16, 1998

No. 4436

CITY COUNCIL

MONDAY, DECEMBER 14, 1998

The City Record

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ARTHA WOODS

Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 1998-2001

MONDAY—Alternating

9:30 A.M.—**Public Parks, Property & Recreation Committee:** Willis, Chairman; Dolan, Vice Chairman; Britt, Lewis, Polensek, Sweeney, White.

9:30 A.M.—**Public Health Committee:** Gordon, Chairman; Britt, Vice Chairman; Cimperman, Cintron, Jackson, Melena, Robinson.

MONDAY—Alternating

11:00 A.M.—**Public Service Committee:** Sweeney, Chairman; Cintron, Vice Chairman; Britt, Johnson, Jones, Melena, Moran, Patmon, Polensek.

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Moran, Vice Chairman; Britt, Cintron, Gordon, Lewis, Johnson.

MONDAY

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

TUESDAY

9:00 A.M.—**Community and Economic Development Committee:** Jackson, Chairman; Robinson, Vice Chairman; Cimperman, Cintron, Coats, Gordon, Jones, Lewis, Zone.

1:30 P.M.—**Legislation Committee:** Zone, Chairman; Jones, Vice Chairman; Britt, Cimperman, Dolan, Johnson, Rybka.

WEDNESDAY—Alternating

10:00 A.M.—**Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Cimperman, Dolan, Patmon, White, Willis.

10:00 A.M.—**Public Safety Committee:** Coats, Chairman; Zone, Vice Chairman; Gordon, Jackson, Jones, Melena, Moran, White, Willis.

WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Patmon, Chairman; Coats, Vice Chairman; Britt, Cintron, Dolan, Jones, Lewis, Moran, Polensek.

1:30 P.M.—**City Planning Committee:** Rybka, Chairman; Robinson, Vice Chairman; Cimperman, Jackson, White, Willis, Zone.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio December 14, 1998.
The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

Councilmen present: Britt, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

Also present were Mayor White and Directors Carter, Carmody, Konicek, Balraj, Guzman, Staib, Denihan, Jackson, Hudecek, Nolan, Warren, Axelrod, Dove and Morrison.

Absent: Mayor White and Directors Guzman and Jackson.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Marvin A. McMickle, Pastor of Antioch Baptist Church located at 8869 Cedar Avenue in Ward 6. Pledge of Allegiance.

MOTION

On the motion of Councilman Polensek, the Clerk was instructed to correct the journal of the December 7, 1998, meeting of the Council (City Record Volume 85 at Page 2024) to reflect that the following first reading emergency ordinances were introduced and referred and, further, that the Clerk be instructed to publish these ordinances in their entirety in the December 16, 1998, City Record.

Ord. No. 2094-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of maintenance of Digital Equipment Corporation computer equipment, for the Division of Financial Reporting and Control, Department of Finance.

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

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

Section 1. That the Director of Finance is hereby authorized and directed to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: maintenance of Digital

Equipment Corporation computer equipment, for a period of one year with an option exercisable by the Director of Finance for an additional one (1) year term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Financial Reporting and Control, Department of Finance.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 01-15-10-0610, Request No. 23256.

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

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

Ord. No. 2095-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an agreement with Hill and Knowlton for Washington lobbying services for the City of 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 Director of Finance is hereby authorized to enter into an agreement with Hill and Knowlton for Washington lobbying services for the City of Cleveland, for a period not to exceed three years, payable from Fund No. 01-99-98-0320, Request No. 23264.

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.

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

Ord. No. 2096-98.

By Councilman Johnson (by departmental request).

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

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

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

Section 1. That the Director of Finance is hereby authorized 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 (2) years for the necessary items of exterminating services in the estimated sum of \$70,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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 22998)

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

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

Ord. No. 2097-98.
By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install and repair fencing at various locations, for the Division of Water Pollution Control, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to install and repair fencing at various locations in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water Pollution Control, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable

by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 23035)

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

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

MOTION

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

COMMUNICATIONS

File No. 2154-98.

From the Department of Public Service re: Retention of Hershman Architects and Neff & Associates to apply for a permit to install a solid waste transfer facility located at 3727 Ridge Road. Received.

File No. 2155-98.

From the Department of Public Utilities re: Notice to Council of Subsidiary Agreement. Received.

File No. 2156-98.

From the Division of Purchases and Supplies re: Excess Property - Reference No. 021-98. Received.

FROM THE DEPARTMENT OF LIQUOR CONTROL

File No. 2157-98.

Re: New Application - 9554895 - West 65th Street Beverage & Deli, Inc. dba West 65th Street Market, 1871-77 West 65th Street. (Ward 17). Received.

File No. 2158-98.

Re: Transfer of Ownership Application - 4786325 - Kool Katt, Inc. dba Randy's Sports Bar, 6801 Denison Avenue. (Ward 16). Received.

File No. 2159-98.

Re: Transfer of Ownership Application - 5782460 - McNamaras Pub Inc. dba Manamaras Pub, 8611 Lake Avenue first floor and basement. (Ward 17). Received.

File No. 2160-98.

Re: Transfer of Ownership Application - 9081063 - Tuscany Italian Restaurant, Inc. dba Tuscany 55, 55 Public Square, Suite 001. (Ward 13). Received.

File No. 2161-98.

Re: Stock Transfer Application - 1894446 - Daher Inc., 4171 Ridge Road. (Ward 16). Received.

File No. 2162-98.

Re: Stock Transfer Application - 88651590005 - 3459 West 54th Street Inc. dba Alexs Deli, 3459 West 54th Street first floor. (Ward 17). Received.

COMMUNICATIONS

File No. 2163-98.

November 23, 1998

The Honorable Jay Westbrook
Cleveland City Council
601 Lakeside Avenue
Cleveland, Ohio 44114

Dear Council President Westbrook:

I am pleased to recommend Ms. Gloria Jean Pinkney for reappointment to the City Planning Commission. This appointment is effective immediately upon approval by Council and will expire November 2, 2004.

Thank you for your consideration.

Sincerely,
MICHAEL R. WHITE
Mayor

Received. Referred to Committee on Mayor's Appointments.

File No. 2163-98-A.

December 14, 1998

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the City Planning Commission.

We have before us the Mayor's Letter of November 23, 1998, wherein he names his appointment to the City Planning Commission as follows:

Ms. Gloria Jean Pinkney
Expires on November 2, 2004

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman
Joseph J. Zone
Odelia V. Robinson
Martin Sweeney
Patricia J. Britt

Received. Without objection, Mayor's appointment approved. Yeas 20. Nays 0.

File No. 96-98-A.

December 14, 1998

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Joint City/County Gateway Economic Development Corporation of Greater Cleveland Board.

We have before us the Mayor's Letter of December 31, 1997, wherein he names his appointment to the Joint City/County Gateway Eco-

conomic Development Corporation of Greater Cleveland Board as follows:

Joseph Marinucci
Expires on May 31, 2002

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman
Joseph J. Zone
Odelia V. Robinson
Martin Sweeney
Patricia J. Britt

Received. Without objection, Mayor's appointment approved. Yeas 20. Nays 0.

File No. 498-98-A.

December 14, 1998

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Community Relations Board.

We have before us the Mayor's Letter of March 16, 1998, wherein he names his appointment to the Community Relations Board as follows:

John Banno
Expires on March 31, 2002

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman
Joseph J. Zone
Odelia V. Robinson
Martin Sweeney
Patricia J. Britt

Received. Without objection, Mayor's appointment approved. Yeas 20. Nays 0.

File No. 139-98-A.

December 14, 1998

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the Landmarks Commission.

We have before us the Mayor's Letter of December 17, 1997, wherein he names his appointment to the Landmarks Commission as follows:

Paul Volpe
Expires on December 31, 1999

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman
Joseph J. Zone
Odelia V. Robinson
Martin Sweeney
Patricia J. Britt

Received. Without objection, Mayor's appointment approved. Yeas 20. Nays 0.

File No. 1595-98-A.

December 14, 1998

To the Honorable Council of the City of Cleveland City Council

Ladies and Gentlemen:

Report of the Mayor's Appointment Committee's consideration of the Mayor's Appointments to the City Planning Commission.

We have before us the Mayor's Letter of August 25, 1998, wherein he names his appointment to the City Planning Commission as follows:

Reverend Dr. Edward Small
Expires on November 2, 2000

The Mayor's Appointment Committee hereby recommends that Council approve the appointment as stated above.

Mayor's Appointment Committee

Roosevelt Coats, Chairman
Joseph J. Zone
Odelia V. Robinson
Martin Sweeney
Patricia J. Britt

Received. Without objection, Mayor's appointment approved. Yeas 20. Nays 0.

CONDOLENCE RESOLUTIONS

The rule were suspended and the following resolutions were adopted by a rising vote:

Res. No. 2196-98—Judith I. Fisher.
Res. No. 2197-98—Brother Peter Lucas.

Res. No. 2198-98—Eddie Johnson.
Res. No. 2199-98—Augustus Varner.
Res. No. 2200-98—Mattie C. Jones.
Res. No. 2201-98—Sharon Bauer.

CONGRATULATORY RESOLUTIONS

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

Res. No. 2195-98—Artha Woods.
Res. No. 2202-98—McCabe Engineering.

Res. No. 2203-98—BP Procure.
Res. No. 2204-98—American Waste Services.

Res. No. 2205-98—BFI.
Res. No. 2206-98—Timothy Donovan.
Res. No. 2207-98—Garland Hamilton.
Res. No. 2208-98—Joseph A. Malkowski.

Res. No. 2209-98—Puritas Lutheran Church Quilters.
Res. No. 2210-98—Norbert Kelsey.
Res. No. 2211-98—Officer William Gant.

Res. No. 2212-98—Bernie & Winston Etheridge.
Res. No. 2213-98—Bill Gnatt.

RECOGNITION RESOLUTION

The rules were suspended and the following resolution was adopted without objection:

Res. No. 2214-98—Dennis J. Kucich.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 2164-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to fabricate ring and pinion gears, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to fabricate ring and pinion gears in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24040)

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

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

Ord. No. 2165-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one rooftop air conditioning unit, including installation and modifications to existing appurtenances, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized 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 rooftop air conditioning unit, including installation and modifications to existing appurtenances, 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. 24037.

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

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

Ord. No. 2166-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed ten digital alpha workstations, and related peripherals and accessories, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized 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 ten digital alpha workstations and related peripherals and accessories, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities.

Section 2. That the cost of said contract hereby authorized shall be paid from Fund No. 52 SF 001, Request No. 24043.

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

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

Ord. No. 2167-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of upgrading the heating boilers at the Nottingham Waterworks Facility, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Section 1. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of upgrading the heating boilers at the Nottingham Waterworks Facility, for the Division of Water, Department of Public Utilities, 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 Public Utilities is hereby authorized 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. 52 SF 215, 52 SF 217 and 52 SF 219, Request No. 23424.

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

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

Ord. No. 2168-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract of the rental of one concrete saw, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized 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 one concrete saw in the approximate amount as procured during the preceding year, to be procured by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Water, Department of Public Utilities. Bids

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

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial procurement thereunder, which procurement, together with all subsequent procurements, 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 24041)

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

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

Ord. No. 2169-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of labor and materials necessary to replace the generator at the Pearl Road Pumping Station, including installation, if necessary, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That the Director of Public Utilities is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: labor and materials necessary to replace the generator at the Pearl Road Pumping Station, including installation, if necessary, 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 229, Request No. 24042.

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

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

Ord. No. 2170-98.
By Councilmen Patmon and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to enter into contract without competitive bidding with International Business Machines for the purchase of maintenance and support of an IBM computer system and appurtenances, for the Division of Water, Department of Public Utilities.

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

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

Section 1. That it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than International Business Machines ("IBM"). Therefore, the Director of Public Utilities is hereby authorized to make a written contract with said IBM for maintenance and support of an IBM computer system and appurtenances, 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. 24044.

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

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

Ord. No. 2171-98.
By Councilmen Sweeney and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of gasoline, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of gasoline in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year

may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24155)

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

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

Ord. No. 2172-98.
By Councilmen Sweeney and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Leach Packer parts, including labor, for the Division of Motor Vehicle Maintenance, Department of Public Service, 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 Service is hereby authorized 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 (2) years for the necessary items of Leach Packer parts, including labor, 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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 24158)

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

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

Ord. No. 2173-98.
By Councilmen Sweeney and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to install automobile and truck spring parts, for the Division of Motor Vehicle Maintenance, Department of Public Service.

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

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

Section 1. That the Director of Public Service is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of labor and materials necessary to install automobile and truck spring parts in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than a year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

Section 2. The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24157)

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

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

Ord. No. 2174-98.
By Councilmen Sweeney and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to repair and maintain mowers and cutting equipment, for the Division of Motor Vehicle Maintenance, Department of Public Service, 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 Service is hereby authorized 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 (2) years for the necessary items of labor and materials necessary to repair and maintain mowers and cutting equipment 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 Motor Vehicle Maintenance, Department of Public Service. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than two (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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 24156)

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

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

Ord. No. 2175-98.
By Councilmen Coats and Johnson
(by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Duplex cab and chassis parts, including labor if necessary, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety, for a period not to exceed two years.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That the Director of Public Safety is hereby authorized 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 (2) years for the necessary items of Duplex cab and chassis parts, including labor if necessary, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Fire and Emergency Medical Service, Department of Public Safety. 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 (2) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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 21138)

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

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

Ord. No. 2176-98.
By Councilmen Coats and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract without competitive bidding with Sutphen Corporation for the purchase of replacement parts for Sutphen Corporation fire apparatus, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety, 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 it is hereby determined that the within commodities are noncompetitive and cannot be secured from any source other than Sutphen Corporation. Therefore, the Director of Public Safety is hereby authorized to make a written requirement contract for the period of two years with said contractor for replacement parts for Sutphen Corporation fire apparatus to be pur-

chased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Fire and Emergency Medical Service, Department of Public Safety.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21139)

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

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

Ord. No. 2177-98.
By Councilmen Coats and Johnson
(by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract without competitive bidding with Finley Fire Equipment Co. for the purchase of replacement parts for Finley Fire Equipment Co. fire equipment, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety, 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Finley Fire Equipment Co. Therefore, the Director of Public Safety is hereby authorized to make a written requirement contract for the period of two years with said contractor for replacement parts for Finley Fire Equipment Co. fire equipment to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Divisions of Fire and Emergency Medical Service, Department of Public Safety.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 21142)

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

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

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

Ord. No. 2178-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into a requirement contract without competitive bidding with Maltese Fire Equipment Co. for the purchase of replacement parts for L.T.I. apparatus and the purchase of parts and labor for accident damage to L.T.I. apparatus in order for such equipment to remain under warranty, for the Divisions of Fire and Emergency Medical Service, Department of Public Safety, 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Maltese Fire Equipment Co. Therefore, the Director of Public Safety is hereby authorized to make a written requirement contract for the period of two years with said Maltese Fire Equipment Co. for the purchase of replacement parts for L.T.I. apparatus and the purchase of parts and labor for accident damage to L.T.I. apparatus 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 Service, Department of Public Safety.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 20040)

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

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

Ord. No. 2179-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Parks, Recreation and Properties and Finance to enter into contract with the Cleveland Board of Education to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 1998-99 school year.

Whereas, pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admissions tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland School system; and

Whereas, the Joint Board established by Ordinance No. 1025-A-95 has recommended that a portion of the tax proceeds be used to fund a number of recreational, cultural and extracurricular programs for City school children during the 1998-99 school year, including dance, drama, instrumental, vocal, cheerleading, aquatic, sports and academic enrichment programs; 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 Parks, Recreation and Properties and Finance are hereby authorized to enter into contract with the Board of Education of the Cleveland City School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children, in accordance with the program description contained in File No. 2179-98-A, for an amount not to exceed \$2,000,000, payable from the fund or funds to which are credited the proceeds of the taxes levied pursuant to Ordinance No. 1025-A-95, passed June 28, 1995, under such terms and conditions as are acceptable to the Director of Law.

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

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

Ord. No. 2180-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1834 East 65th Street, 1848-50 East 65th Street, 6407 Euclid Avenue, 1857, 1843-45 East 63rd Street, 1835 East 63rd Street and 1827 East 63rd Street to MPC Plating Incorporated.

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

Whereas, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio

Revised Code and Section 183.021 of Codified Ordinances of the City of Cleveland, 1976; and

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-04-004 as more fully described in Section 2 below, to MPC Plating Incorporated.

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

P.P. No. 118-04-004

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 337, and described as follows:

Beginning at a point in the Westerly line of East 65th Street (formerly Dorchester Avenue) 125 feet Northerly from the Southerly line of land conveyed to L.M. Southern January 19, 1888 and recorded in Volume 421, Page 561 of Cuyahoga County Records; thence Northerly along the Westerly line of East 65th Street, 45 feet to the Southeasterly corner of land conveyed to Louis Hintz October 8, 1919 and recorded in Volume 2293, Page 170 of Cuyahoga County Records; thence Westerly at right angles along the Southerly line of land deeded to said Louis Hintz, 138.41 feet to the Westerly line of land conveyed to said L.M. Southern; thence Southerly along said Westerly line 45 feet; thence Easterly 138.46 feet to the place of beginning, be the same more or less but subject to all legal highways.

Section 3. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-04-007 as more fully described in Section 4 below, to MPC Plating Incorporated.

Section 4. That the real property to be sold pursuant to Section 3 of this Ordinance is more fully described as follows:

P.P. No. 118-04-007

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 337 and bounded and described as follows:

Beginning on the Westerly line of East 65th Street 46 feet wide, at the Northeasterly corner of land conveyed to William Howard Prescott by deed dated May 8 1906, and recorded in Volume 1034 Page 39 of Cuyahoga County Records; thence Northerly along the Westerly line of East 65th Street 88 feet to the Southeasterly corner of land conveyed to MRJ Company by deed dated January 2, 1957 and recorded in Volume 8826 Page 182 of Cuyahoga County Records; thence Westerly along the Southerly line of land so conveyed to MRJ Company, 138.60 feet to the Easterly line of Clara M. Hannon's

Subdivision as shown by the recorded plat in Volume 15 of Maps, Page 29 of Cuyahoga County Records; thence Southerly along the Easterly line of said Subdivision 88 feet to the Northwesterly corner of land conveyed to William Howard Prescott, as aforesaid; thence Easterly along the Northerly line of land so conveyed to William Howard Prescott, 138.66 feet to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

Section 5. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-04-010 as more fully described in Section 6 below, to MPC Plating Incorporated.

Section 6. That the real property to be sold pursuant to Section 5 of this Ordinance is more fully described as follows:

P.P. No. 118-04-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being a part of Original One Hundred Acre Lot No. 337, and bounded and described as follows:

Beginning at a point in the Northerly line of Euclid Avenue (80 feet wide) at the Southwesterly corner of a parcel of land conveyed to the City of Cleveland, as shown in Volume 15601 of Deeds, Page 314 of Cuyahoga County Records; thence South 86 degrees, 39'-12" East along said Northerly line of Euclid Avenue, 29.24 feet to a point at the Southwesterly end of a curved turnout between said Northerly line of Euclid Avenue and the Westerly line of East 65th Street, (58.00 feet wide) as widened by dedication plat recorded in Volume 239 of Maps, Page 72 of Cuyahoga County Records; thence Northeasterly, along a curve deflecting to the left, having a radius of 15.00 feet, whose chord bears North 46 degrees, 20'-02" East, a distance of 21.95 feet, an arc distance of 24.62 feet to a point of tangency in said Westerly line of East 65th Street, widened as aforesaid; thence North 0 degrees, 40'-44" West, along said Westerly line of East 65th Street, 181.90 feet to a point in the Southerly line of a parcel of land conveyed to M.P.C. Plating, Incorporated by deed recorded in Volume 15248, Page 203 of Cuyahoga County Records; thence South 89 degrees, 19'-16" West, along said Southerly line of land so conveyed to M.P.C. Plating, Incorporated 45.25 feet to a point in the Northwesterly corner of land conveyed to the City of Cleveland as first aforesaid; thence South 89 degrees, 19'-16" East in a direct line 194.82 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Covenants and restrictions contained in Instrument recorded in Volume 427, Page 618 of Cuyahoga County Records.

Covenants and restrictions contained in Instrument recorded in Volume 456, Page 260 of Cuyahoga County Records.

Covenants and restrictions contained in Instrument recorded in Volume 684, Page 215 of Cuyahoga County Records.

Covenants and restrictions contained in Instrument recorded in Volume 681, Page 416 of Cuyahoga County Records.

Subject to easement in Deed recorded in Volume 4933, Page 46 of Cuyahoga County Records.

The above legal description was prepared by Steve Salay, Ohio Registered Surveyor #5505 based on the Dedication Plat of the East 65th Street Widening Plat prepared by Robert P. Hoover, Registered Ohio Surveyor #6155. Also Cuyahoga County and City of Cleveland records.

Section 7. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-04-047 as more fully described in Section 8 below, to MPC Plating Incorporated.

Section 8. That the real property to be sold pursuant to Section 7 of this Ordinance is more fully described as follows:

P.P. No. 118-04-047

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 42 in Clara M. Hannon Subdivision of part of Original 100 Acre Lot No. 337 as shown by the recorded plat in Volume 15 of Maps, Page 29 of Cuyahoga County Records, and being 50 feet front on the Easterly line of East 63rd Street, and extending back of equal width, 112.14 feet deep on the Northerly line, 112.23 feet deep on the Southerly line, as appears by said plat, be the same more or less, but subject to all legal highways.

Section 9. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 118-04-051 as more fully described in Section 10 below, to MPC Plating Incorporated.

Section 10. That the real property to be sold pursuant to Section 9 of this Ordinance is more fully described as follows:

P.P. No. 118-04-051

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 39 and part of Sublot No. 40 in Clara M. Hannon's Subdivision of part of Original One Hundred Acre Lot No. 337, as shown by the recorded plat in Volume 15 of Maps, Page 29 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Easterly line of East 63rd Street (formerly Kensington Street) at the Northwest corner of said Sublot No. 39; thence Southerly along said Easterly line of East 63rd Street, 55 feet; thence Easterly 97.44 feet to the Westerly line of the second parcel of land conveyed to Mildred Chisholm by deed dated July 19, 1910, and recorded in Volume 1248, Page 582 of Cuyahoga County Records at a point 5 feet Southerly from the Southerly line of Sublot No. 39; thence Northerly along said Westerly line of land so con-

veyed to Mildred Chisholm 5 feet to the Southerly line of said Sublot No. 39; thence Easterly along said Southerly line of said Sublot No. 39; 14.53 feet to the Southeast corner of said Sublot No. 39; thence Northerly along the Easterly line of said Sublot No. 39.50 feet to the North-easterly corner of said Sublot No. 39; thence Westerly along the Northerly line of said Sublot No. 39, 111.88 feet to the place of the beginning, be the same more or less, but subject to all legal highways.

Section 11. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-04-052 as more fully described in Section 12 below, to MPC Plating Incorporated.

Section 12. That the real property to be sold pursuant to Section 11 of this Ordinance is more fully described as follows:

P.P. No. 118-04-052

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 38 in Clara M. Hannon's Subdivision of part of Original One Hundred Acre Lot No. 337, as shown by the recorded plat in Volume 15 of Maps, Page 29 of Cuyahoga County Records and being 50 feet front on the Easterly side of East 63rd Street (formerly Kensington Street) 111.79 feet deep on the Northerly line, 111.88 feet deep on the Southerly line and 50 feet wide in the rear, as appears by said plat.

Subject to zoning ordinances, if any.

Section 13. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-04-054 as more fully described in Section 14 below, to MPC Plating Incorporated.

Section 14. That the real property to be sold pursuant to Section 13 of this Ordinance is more fully described as follows:

P.P. No. 118-04-054

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 36 in Clara M. Hannon's Subdivision, Plat Book 15, Page 29, Cuyahoga County Records, 50 feet on the Easterly side of East 63rd Street, 111.62 feet on the Northerly line, 111.74 feet on the Southerly line, 50 feet rear, be the same more or less, but subject to all legal highways.

Subject to zoning ordinances, if any.

Section 15. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 118-04-050 as more fully described in Section 15 below, to MPC Plating Incorporated.

Section 16. That the real property to be sold pursuant to Section 14 of this Ordinance is more fully described as follows:

P.P. No. 118-04-050

Situated in the City of Cleveland, County of Cuyahoga and State of

Ohio, and known as being part of Sublot No. 40 in the Clare M. Hanon's Subdivision of part of Original One Hundred Acre Lot No. 337, as shown by the recorded plat in Volume 15 of Maps, Page 29 of Cuyahoga County Records, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

Section 17. 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 18. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

Section 19. That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

Section 20. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 2181-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4633 East 173rd Street to Rose L. Whaley and Sherman L. Whaley.

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

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

Whereas, this ordinance constitutes an emergency measure provid-

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 143-15-070, as more fully described in Section 2 below, to Rose L. Whaley and Sherman L. Whaley.

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

P.P. No. 143-15-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Warrensville Township Lot No. 92, Cuyahoga County Records, and being bounded and described as follows:

Beginning on the Easterly line of East 173rd Street (formerly proposed East 170th Street), now dedicated and accepted by City Ordinance 402A43, August 23, 1943 at a point 566.55 feet Southerly, measured along said Easterly line from its point of intersection with the Northerly line of said Original Lot No. 92, said Easterly line of East 173rd Street being parallel with and distant 400 feet Westerly, measured at right angles from the Easterly line of land conveyed by Jacob Russell and wife, to Ebenezer Rodney Russell by deed dated April 13, 1816 and recorded in Volume C, Page 233 of Cuyahoga County Records; thence Southerly along said Easterly line of East 173rd Street, 40 feet; thence Easterly on a line at right angles with said Easterly line of East 173rd Street, 120 feet; thence Northerly on a line parallel with said Easterly line of East 173rd Street, 40 feet; thence Westerly 120 feet to the place of beginning and being further known as Sublot No. 894 in C.A. Bingham's proposed Lee Heights Addition Allotment of part of Original Warrensville Township Lot No. 92, according to a survey of Elmer B. Wight, Civil Engineer, dated July 25, 1918, be the same more or less, but subject to all legal highways.

Subject to Covenants and Restrictions recorded in Volume 81, Page 479 of Cuyahoga County Records, and being further known as 4633 East 173rd Street.

Also subject to all zoning ordinances, if any.

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

Section 4. That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market

Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

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

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

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

Ord. No. 2182-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6701 Chambers Avenue to John T. Rzczycki and Kathleen Rzczycki.

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

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 132-06-041, as more fully described in Section 2 below, to John T. Rzczycki and Kathleen Rzczycki.

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

P.P. No. 132-06-041

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being the Southerly 48.7 feet of Sublot No. 152 in A.W. Morgan's Subdivision of a part of Original One Hundred Acre Lot No. 318, as shown by the recorded plat in Volume 11 of Maps, Page

47 of Cuyahoga County Records, and being 41 feet front on the Northerly side of Chambers Avenue, S.E., and extending back 48.7 feet on the Easterly line, 48.7 feet on the Westerly line, which is also the Easterly line of East 67th Street, and having a rear line of 41 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

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

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

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

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

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

Ord. No. 2183-98.

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

An emergency ordinance appropriating funds obtained from Norfolk Southern; determining the method of making the public improvement of constructing railroad grade separations at Nottingham/Dille Road and London Road; authorizing the Director of Public Service to enter into contract for the making of such improvement; authorizing the Director of Public Service to employ professional services necessary to perform architectural, engineering and other services necessary to design the public improvement; authorizing said director to enter into such other agreements necessary to complete this improvement; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such real property as is necessary to make the public improvement.

Whereas, pursuant to Ordinance No. 978-98, passed June 8, 1998, this

Council approved and ratified an agreement entered into by the Mayor with Norfolk Southern Corporation ("Norfolk Southern") which, among other things, required a financial contribution of up to \$1,500,000 to Cleveland from the railroad in order to construct two grade separation projects, one at Nottingham/Dille Road and one at London Road (the "Agreement"); and

Whereas, this Council wishes to appropriate funds received in accordance with the Agreement for the purpose of making the public improvement of constructing railroad grade separations at Nottingham/Dille Road and London Road; and

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

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

Section 1. That this Council hereby appropriates the funds received from Norfolk Southern pursuant to the Agreement in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), from Fund No. 13 SF 212, for the purposes of constructing railroad grade crossings at Nottingham/Dille Road and London Road, retaining the services of professional consultants necessary to design the improvement, and the acquisition of real property for right-of-way purposes such real property, pursuant to the following schedule:

Personnel	-0-
Other Expenses	\$1,500,000

Section 2. That, it is hereby determined to make the public improvement of constructing railroad grade separations at Nottingham/Dille Road and London Road, including paving, grading, drainage, curbing, sidewalks, lighting, streetscaping, traffic signals, and other necessary appurtenances (the "Improvement"), for the Division of Engineering and Construction, Department of Public Service, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement.

Section 3. That the Director of Public Service is hereby authorized and directed to enter into contract for the making of the Improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

Section 4. That the Director of Public Service is hereby authorized and directed to employ by contract one or more professional architects, engineers, one or more firms of architects and engineers, and other consultants necessary 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 design the Improvement.

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

Section 5. That the Director of Public Service is hereby authorized to enter into such other agreements as are necessary to complete the planning and construction of the Improvement, which agreements shall contain such terms and conditions as the Director of Law determines shall best protect the public interest.

Section 6. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire for right-of-way purposes such real property as is necessary to make the Improvement. The consideration to be paid for such property shall not exceed its appraised value.

Section 7. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire such property and to employ and pay all fees for title companies, surveys, escrows, appraiser, and all other costs necessary for the acquisition of such property.

Section 8. That the costs of the Improvement, services and property acquisition herein contemplated shall be paid from Fund No. 13 SF 212, Request No. 24556.

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.

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

Ord. No. 2184-98.

By Councilmen White and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Personnel and Human Resources to accept a grant from the Ohio Bureau of Employment Services for the JTPA Employment and Training Assistance for Dislocated Workers Program; and to enter into contract with the United Labor Agency to implement the program.

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

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

Section 1. That the Director of Personnel and Human Resources is hereby authorized to accept \$411,648.00 from the Ohio Bureau of Employment Services - Governor's Reserve and \$296,694.00 from the Ohio Bureau of Employment - Incentive Award, to conduct the JTPA Employment and Training Assistance for Dislocated Workers Program, for the purposes set forth in the program description and according thereto; that the Director of Personnel and Human Resources 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 program description for said grant.

Section 2. That the program description for said grant, File No. 2184-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

Section 3. That the Director of Personnel and Human Resources is hereby authorized to enter into contract with the United Labor Agency for the implementation of the program as described in the program description contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

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

Referred to Directors of Personnel and Human Resources, Finance, Law; Committees on Employment, Affirmative Action and Training, Finance.

**FIRST READING EMERGENCY
ORDINANCES READ IN FULL
AND PASSED**

Ord. No. 1999-A-98 (as a substitute for Ord. No. 1999-98).

By Councilman Westbrook.

An emergency ordinance appropriating funds obtained from the Ohio Bureau of Workers' Compensation for various neighborhood public improvements and purposes.

Whereas, the Ohio Bureau of Workers' Compensation ("BWC") has refunded to the City funds from premiums previously paid by the City of Cleveland to the BWC; and

Whereas, the Council of the City of Cleveland desires to appropriate funds received from BWC for the purpose of creating a Workers' Compensation Neighborhood Capital Fund for the purpose of benefiting the neighborhoods and residents 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 Council of the City of Cleveland hereby establishes

the Worker's Compensation Neighborhood Capital Fund to be funded by the monies received for the Ohio Bureau of Workers' Compensation as a refund of previously paid premiums in the amount of Twelve Million Dollars (\$12,000,000.00), Fund No. 10 SF 166. Funds from the Workers' Compensation Neighborhood Capital Fund shall be appropriated and are to be expended in the following manner: (i) for the purpose of supplementing the Rainy Day Fund of the City of Cleveland in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00), Fund 10 SF 150; (ii) for the purpose of constructing, renovating and rehabilitating streets and sidewalks throughout the City; (iii) for the purpose of constructing, renovating, and rehabilitating parks, playgrounds and other recreation facilities throughout the City; and (iv) for purposes consistent with Community Block Grant Fund expenditures.

Section 2. That, within the Workers' Compensation Neighborhood Capital Fund, twenty-one (21) departmental assignments shall be created, one to correspond to each Ward within the City, and shall each be funded with Five Hundred Thousand Dollars (\$500,000.00). An expenditure from a departmental assignment within the Worker's Compensation Neighborhood Capital Fund shall require written authorization from the member of Council in whose Ward the project is located.

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.

Without objection, substitute ordinance agreed to. Ordinance No. 1999-98 laid on the table.

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

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

Ord. No. 2185-98.

By Councilmen Zone and Patmon (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities apply for and accept a grant from the Cuyahoga River Community Planning Organization; determining the method of making the public improvement of restoring a portion of the Chevrolet Branch of Big Creek; and authorizing the Director 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 the Director of Public Utilities is hereby authorized to apply for and accept a grant in

the amount of \$25,000.00, from the Cuyahoga River Community Planning Organization (CRCPO), to pay a portion of the cost of restoring a portion of the Chevrolet Branch of the Big Creek, for the purposes set forth in the application and according thereto; that the Director of Public Utilities 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. 2185-98-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide in cash matching funds in the sum of \$25,000.00, payable from Fund No. 54 SF 001, is hereby approved in all respects.

Section 3. That, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of restoring a portion of the Chevrolet Branch of the Big Creek between Matherson Avenue and Guardian Avenue, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit price for the improvement.

Section 4. That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit 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 upon a unit price.

Section 5. That the cost of said improvement hereby authorized shall be paid from the grant proceeds accepted pursuant to Section 1 of this ordinance and Fund Nos. 54 SF 001, Request No. 23037.

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.

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

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

Ord. No. 2186-98.

By Councilman Lewis.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at East 84th Street to Freddie Love and Olivia Love and Michael R. Acree and Annie L. Acree. Whereas, the City of Cleveland has elected to adopt and implement

the procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

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

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

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

Section 1. That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No(s). 106-23-109, as more fully described in Section 2 below, to Freddie Love and Olivia Love and Michael R. Acree and Annie L. Acree.

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

P.P. No. 106-23-109

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 391, bounded and described as follows:

Beginning at a point on the Easterly line of East 84th Street, (formerly Van Ness Avenue), distant 1348.17 feet Southerly, measured along said Easterly line from its intersection with the Southerly line of Wade Park Avenue, N.E.; thence Southerly along the Easterly line of East 84th Street, 40 feet to a point; thence Easterly and parallel with the Southerly line of Wade Park Avenue, N.E., 102 feet; thence Northerly and parallel with the Easterly line of East 84th Street, 40 feet; thence Westerly and parallel with the Southerly line of Wade Park Avenue, N.E., 102 feet to the place of beginning, and being further known as Sublot No. 48 in L.M. Southern's Wade Park Subdivision proposed, be the same more or less, but subject to all legal highways.

Also subject to all zoning ordinances, if any.

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

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

and covenants as are deemed necessary or appropriate.

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

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

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

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

Ord. No. 2187-98.

By Councilman Sweeney (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire property located at 3601 Ridge Road, Permanent Parcel No. 013-07-002, for the purpose of ingress and egress to and from the Ridge Road Transfer Station.

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 provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is hereby authorized to acquire title to the property described below from CEI for the public purpose of ingress and egress to and from the Ridge Road Transfer Station, the following described property at no cost to the City of Cleveland:

3601 Ridge Road

Permanent Parcel No. 013-07-002

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original Brooklyn Township, Lot No. 26 and is further bounded and described as follows:

Beginning at a 1" iron pin found at the intersection of the center line of Ridge Road S.W. (variable width) with the center line of Clinton Road S.W. (variable width);

Thence South 05° 32' 13" East, along said center line of Ridge Road S.W., a distance of 1,169.06 feet to the Southerly line of said Original Lot No. 26, said point marked by a 1" iron pin found North 89° 07' 35" West, along said Southerly line of Original Lot No. 26, a distance of 0.20 feet;

Thence South 89° 07' 35" East, along said Southerly line of Original Lot No. 26, a distance of 43.27 feet to the Easterly right of way line of said Ridge Road S.W. at the

Southwesterly corner of Parcel "D" of land conveyed to the City of Cleveland by deed recorded in Volume 8689, Page 269 of Cuyahoga County Records;

Thence North 05° 32' 13" West, along said Easterly right of way line of Ridge Road S.W., a distance of 50.31 feet to the Northwesterly corner of said Parcel "D" and the principal place of beginning of the land herein described. Said point marked by a drill hole found North 89° 07' 35" West, a distance of 2.13 feet;

Course 1: Thence North 05° 32' 13" West, continuing along said Easterly right of way line of Ridge Road S.W., a distance of 40.25 feet;

Course 2: Thence South 89° 07' 35" East, parallel with the Northerly line of Parcel "D", as aforesaid, a distance of 20.13 feet;

Course 3: Thence South 47° 19' 54" East, a distance of 30.01 feet;

Course 4: Thence South 89° 07' 35" East, parallel with the Northerly line of Parcel "D", as aforesaid, a distance of 569.67 feet;

Course 5: Thence North 53° 42' 13" East, a distance of 23.17 feet to the Westerly line of Parcel "A" of land conveyed to the City of Cleveland, as aforesaid.

Course 6: Thence South 00° 43' 39" West, along said Westerly line of Parcel "A", a distance of 34.00 feet to the Northeasterly corner of Parcel "D", as aforesaid, said point marked by a 5/8" iron pin found 0.19 feet North and 0.25 feet West;

Course 7: Thence North 89° 07' 35" West, along the Northerly line of said Parcel "D", a distance of 626.22 feet to the principal place of beginning and containing 0.3049 Acres (13,280 square feet) of land according to a survey made by Thomas J. Neff, Jr., Registered Surveyor No. 7065 - Ohio in October of 1998.

The subject area being part of the same land conveyed to The Cleveland Electric Illuminating Company by deed recorded in Volume 3461, Page 304 Cuyahoga County Records.

The basis of bearings for the area surveyed is North 05° 32' 13" West, as the center line of Ridge Road S.W. as assumed.

Be the same more or less but subject to all legal highways.

Section 2. That the Director of Public Service is hereby authorized to execute on behalf of the City all documents necessary to acquire title to such property and to employ and pay all fees for title companies, surveys, escrows, appraisals, and all other costs necessary for the acquisition of such property.

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.

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

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

Ord. No. 2188-98.

By Councilman Johnson (by departmental request).

An emergency ordinance to amend Section 44 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 2119-98, passed December 7, 1998, relating to compensation for various classifications.

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

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

Section 1. That Section 44 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 2119-98, passed December 7, 1998, is hereby amended to read as follows:

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:

	Rank	Minimum	Maximum
1.	Commander of Police	\$73,184.14	\$73,684.14
2.	Deputy Inspector	73,184.14	73,684.14
3.	Captain	63,020.10	63,520.10
4.	Lieutenant	54,258.92	54,758.92
5.	Sergeant	46,705.92	47,205.93

Section 2. That existing Section 44 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 2119-98, passed December 7, 1998, 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.

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

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

Ord. No. 2189-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into contract with Ceridian Employer Services for payroll processing and tax filing services, for the Department of Finance.

Whereas, the City desires to extend existing Contract No. 46291 with Ceridian Employer Services for professional services necessary to provide payroll check processing, tax payment and reporting, employee benefit reports and other reports, software and support; and

Whereas, the City has recently selected a new accounting software system, which selection was occasioned in part by Year 2000 deficiencies; and

Whereas, the City will convert to the new accounting system beginning January 1, 1999 through April 1, 1999; and

Whereas, it was necessary for the administration to evaluate its payroll service needs in light of the new accounting system; and

Whereas, the new accounting system has a payroll module, which would allow the City to perform its own payroll services; and

Whereas, the Council requested an evaluation of the City's ability to perform its own payroll services; and

Whereas, for the above reasons the administration desires to extend the existing contract so that there may be time to evaluate the necessity of contracting this service; 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 Finance is hereby authorized to

enter into contract with Ceridian Employer Services for professional services necessary to provide payroll and check processing, tax payment and reporting, employee benefit reports and other reports, software and support, on the basis of its proposal, the cost of which shall not exceed \$431,330.00 and shall be payable from Fund No. 01-99-98-0380, Request No. 23255, for the Department of Finance.

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

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

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

Ord. No. 2190-98.

By Councilman Westbrook.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement or agreements to design, install and maintain a legislative tracking system and to provide training for use of such system for the Cleveland City Council.

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, following solicitation and review of competitive proposals, the Clerk of Council is hereby authorized to enter into an agreement or agreements for the design,

installation and maintenance a legislative tracking system, including a public access kiosk, and to provide training for use of such system for the Cleveland City Council.

Section 2. That the cost of such agreements or agreements shall not exceed Three Hundred Fifty Thousand Dollars (\$350,000.00) and shall be paid from the following funds as determined by the Director of Finance: Fund Nos. 52 SF 001, 54 SF 001, 57 SF 001, 58 SF 001, 81 SF 001, 60 SF 001, 10 SF 165, 10 SF 006, and 50 SF 001.

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.

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

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

Ord. No. 2191-98.

By Councilman White.

An emergency ordinance authorizing directing the Director of Public Service to issue a permit to Bethany Christian Church to stretch one (1) banner on utility poles in front of 3940 Martin Luther King Jr. Boulevard publicizing Christmas Candlelight Services from the period of December 8, 1998 to December 31, 1998, inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Bethany Christian Church, 3940 Martin Luther King Boulevard, to install, maintain and remove one (1) banner to be attached to utility poles, (by separate permission) in front of Bethany Church at 3940 Martin Luther King Jr. Boulevard, on the west side of the street publicizing Christmas Candlelight Services from the period of December 8, 1998 to December 31, 1998, inclusive. Said banner shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said holiday decorations and said decorations shall be removed promptly upon the expiration of said permit.

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

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

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

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

Res. No. 2192-98.

By Councilmen Gordon, Westbrook, Jones, White, Robinson, Johnson, Jackson, Britt, Lewis, Patmon, Willis, Coats, Polensek, Rybka, Cimperman, Cintron, Moran, Melena, Zone, Sweeney and Dolan.

An emergency resolution recognizing and supporting the need for a vital and professional Department of Public Health.

Whereas, a well-run, professional and viable Department of Public Health is essential to the health, safety and welfare of the citizens of Cleveland; and

Whereas, pursuant to Section 114 of the Charter of the City of Cleveland, the City through its officers in the Department of Public Health, "shall perform all duties and may exercise all the powers provided by general law, relative to the public health..."; and

Whereas, it is imperative that the City of Cleveland operate and maintain a department dedicated to the public health of its citizens; and

Whereas, pursuant to the Codified Ordinances of the City of Cleveland, the duties of the Department of Public Health include matters pertaining to health, sanitation, air pollution, water pollution,

nuisances and other health issues; and

Whereas, the Cleveland Public Health Department administers programs that focus on infant mortality, drug treatment, lead poisoning and abatement, air pollution, sexually transmitted diseases, immunization, and other programs essential and vital to the health, safety and welfare of the residents of the City; and

Whereas, the General Fund obligations to the Department of Public Health, exclusive of the allocation to the House of Corrections is \$5.6 million, which represents only 1.3% of the total General Fund Budget; and

Whereas, the Department of Public Health administers grants for programs in the amount of approximately \$9.7 million; and

Whereas, there is an increase in demand for services provided by the Cleveland's Department of Public Health; and

Whereas, there is need for more staff in the Department of Public Health to meet the increase in demand for services and programs; and

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

Section 1. That the Council of the City of Cleveland recognizes the absolute need for the City to maintain a vital and effective Department of Public Health and would not support any attempts to eliminate the department or to reduce it in size or scope of operation, and

Section 2. That the Council will initiate an assessment of the Department of Public Health to review, among other things, the mission of the department, the funding levels of the department, staffing needs, qualifications of the staff, evaluation methodology and performance of programs, and grant application procedures and effectiveness.

Section 3. That the Council urges the State of Ohio to offer and provide grants to the Department of Public Health for air pollution and health related services.

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

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

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

Res. No. 2193-98.

By Councilman Cimperman.

An emergency resolution objecting to the transfer of ownership and location of a D5 and D6 Liquor permit to 2379 Professor St.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a D5 and D6 Liquor Permit from Permit No. 4952106, L & S Management Corp., 1835 Fulton Ave., c/o James A. Simpson, Cleveland, Ohio 44113, to Permit No. 0378394, Daniel J. Brown,

2379 Professor St., Cleveland, Ohio 44113; 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 D5 and D6 Liquor Permit from Permit No. 4952106, L & S Management Corp., 1835 Fulton Ave., c/o James A. Simpson, Cleveland, Ohio 44113, to Permit No. 0378394, Daniel J. Brown, 2379 Professor St., Cleveland, Ohio 44113 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**SECOND READING EMERGENCY
ORDINANCES PASSED**

**Ord. No. 2020-A-96. (As a substitute
for Ord. No. 2020-96).**

By Councilman Coats.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 170.06 and Sections 396.01, 396.02, 396.03, 396.04, 396.05, 396.06, 396.07, 396.08, 396.09 and 396.99 thereof, all relating to notification, security and environmental abatement at closed businesses.

Approved by Directors of Public Health, Public Safety, Finance, Law; Recommended by Committees on Public Health, Public Safety, Legislation, Finance, when amended as follows:

1. In the title, line 4, strike "Section 170.06 and".

2. Strike Section 1 in its entirety; and renumber existing Sections 2 and 4, respectively, to "Section 1" and "Section 3".

3. In existing Section 2, at Section 396.01(a), line 4, strike the period and insert the following: "**and does not include transfer of the business operation to another entity which will resume the operations within the 90-day timeframe.**"

4. In existing Section 2, strike Section 396.01 (b) in its entirety and insert in lieu thereof the following:

"(b) **"Facility" means an industrial structure of any size or a commercial structure where such commercial structure is larger than one hundred fifty thousand (150,000) square feet.**"

5. In existing Section 2, at Section 396.02(a)(2), line 1, strike "Unkept" and insert in lieu thereof "Unkempt"; in line 2, after "rubbish," strike "and"; and at the end, strike the period and insert in lieu thereof the following: "**and the accumulation of combustible material.**"

6. In existing Section 2, at Section 396.02(a)(3), line 2, strike "flammable" and insert in lieu thereof "**combustible**".

7. In existing Section 2, at Section 396.02(b), line 1, strike "non-residential sites" and insert in lieu thereof "**facilities**"; and following existing Section 396.02(b), insert the new division (c) to read as follows:

"(c) **The owner, operator, or party in control of any facility which is closed or vacant as of the effective date of this chapter shall comply with the requirements of this Chapter by July 1, 1999.**"

8. In existing Section 2, at Section 396.03(a), line 5, strike "ten (10) dollars" and insert in lieu thereof "**two hundred fifty dollars (\$250.00)**".

9. In existing Section 2, at Section 396.04(a)(2), strike "Section 3750.08" and insert in lieu thereof "**Chapter 3750**"; and in 396.04(a)(3), line 5, strike "Section 3750.07" and insert in lieu thereof "**Chapter 3750**".

10. In existing Section 2, at Section 396.04(a), insert a new subdivision (a)(4) to read as follows:

"(4) **If applicable, submit to the Fire Chief a copy of the current list of all hazardous and toxic chemicals manufactured, used or stored in the workplace, as mandated by Section 393.07 of the Codified Ordinances.**"

11. In existing Section 2, at Section 396.05 (c), at the end, add the following after the period: "**All fire protection systems shall remain in service and be maintained as required by the Ohio Fire Prevention Code.**"

12. In existing Section 2, at Section 396.05(b), line 6, after "designees" insert "**, including representatives of other federal, state and local agencies concerned with fire, safety or environmental enforcement.**"

13. In existing Section 2, at Section 396.07(b), line 1, after "fire" insert the following: "**, spill, leak or emission of a hazardous material.**"

14. In existing Section 2, at Section 396.07, insert new division (d) to read as follows:

"(d) **The owner, operator, or party in control of a facility who has been found guilty of a violation of this chapter may be required to repay to the City any direct cash grant subsidy, where there was no initial obligation of repayment to the City, and the grant was received from the City through its Department of Economic Development after the effective date of this chapter. The repayment shall be made by order of the Court after notice and a hearing.**"

15. In existing Section 2, at Section 396.99, strike division (a) in its entirety; and at line 5, strike "(b)".

16. Insert new Section 2 to read as follows:

"**Section 2. All funds recovered by the City pursuant to Section 396.07 shall be deposited in a fund and sub-fund designated by the Director of Finance for the purpose of the rehabilitation and remediation of structural and environmental defects and other nuisances found in properties throughout the City, and the funds are hereby appropriated for that purpose.**"

Amendments agreed to.

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

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

Ord. No. 1304-97.

By Councilmen Jackson, Robinson, Rybka, Willis and Westbrook (by departmental request).

An emergency ordinance to amend Sections 676.03, 676.04, 676.12, and 676.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2704-A-90, passed June 15, 1992; and to supplement said ordinances by enacting new Section 676.15 thereof, relating to junk and secondhand dealers.

Approved by Directors of Community Development, Public Health, City Planning Commission, Finance, Law; Recommended by Committees on Community and Economic Development, Public Health, City Planning, Legislation, Finance, when amended as follows:

1. In Section 1, at Section 676.03(a), line 8, after "business," insert the following sentence: "**The application shall also set forth a description of each vehicle used in the business, including license plate number.**"

2. In Section 1, at Section 676.03(a), line 11, strike "or" and insert in lieu thereof "**of**".

3. In Section 1, at Section 676.03(a), strike lines 29 through the end of the division in their entirety and insert in lieu thereof the following: "**applicable Building and Zoning Codes. The application shall also be transmitted to the Commissioner of Environment, who shall inspect the premises for compliance with the Health and other applicable codes. The Commissioner of Environment may require the appli-**

cant, at the applicant's own expense, to demonstrate that the statements contained in an Environmental Affidavit are true."

4. In Section 1, at Section 676.03(b)(4), strike lines 2 and 3 in their entirety and insert in lieu thereof the following: "**Affidavit are false or the.**"

5. In Section 1, at Section 676.03(c), insert new subdivision (2) to read as follows:

"(2) **Evidence of past incidents of receiving, retaining or disposing of property, knowing or having reasonable cause to believe that the property was obtained through commission of a theft offense.**"

6. In Section 1, at Section 676.03(c), reletter existing subdivisions (2) and (3), respectively, to new subdivisions "(3)" and "(4)".

7. In Section 1, at Section 676.12(b), insert new subdivision (8) to read as follows:

"(8) **Evidence of past incidents of receiving, retaining or disposing of property, knowing or having reasonable cause to believe that the property was obtained through commission of a theft offense.**"

8. In Section 1, at Section 676.12(b), reletter existing subdivision (8), respectively, to new subdivision "(9)".

9. In Section 1, at Section 676.99, strike lines 4, 5, 6, 7 and 8 and insert in lieu thereof the following: "**less than one thousand dollars (\$1,000.00). Each day during which noncompliance or a violation continues shall constitute a separate offense.**"

10. Insert new Section 4 to read as follows:

"**Section 4. The provisions of Chapter 676 regulating junk dealers and scrap metal processors will be reviewed by City Council in September of 1999 to determine their effectiveness.**"

11. Renumber existing Section 4 to new "Section 5".

12. In Section 1, at Section 676.04, line 4 and line 6, after "one hundred" insert "**fifty**"; and in lines 5 and 7, strike "(\$100.00)" and insert in lieu thereof "**(\$150.00)**".

Amendments agreed to.

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

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

Ord. No. 621-98.

By Councilmen Jackson and Cimperman (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to St. Vincent Quadrangle Inc. to encroach into the public right-of-way at various locations in Wards 13 and 5 by installing and/or replacing approximately sixty-one (61) outdoor directional signs.

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

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

Ord. No. 772-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program

and located at 1900 East 75th Street to Cleveland Ohio Cedar Congregation of Jehovah's Witnesses.

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

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

Ord. No. 1004-98.

By Councilmen Cimperman, Jackson and Johnson (by departmental request).

An emergency ordinance to amend the title, Sections 1, 4, 5, 6, 7, 8 and 9 of Ordinance No. 1929-96, passed December 16, 1996, relating to the Director of Community Development to apply for a Section 108 Loan from the U.S. Department of HUD in order to provide economic assistance to partially finance the redevelopment of buildings located at 1001 Huron, 1020 Huron and 1104 Prospect; to enter into a Neighborhood Development Investment Fund contract; to enter into contract with Gateway at Playhouse Square Associates, Limited Liability Company; to supplement Ordinance No. 1929-96, passed December 16, 1996, by adding new Section 11; and to renumber existing Section 11 as new Section 12.

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

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

Ord. No. 1228-98.

By Councilmen Sweeney and Rybka (by departmental request).

An emergency ordinance giving consent of the City of Cleveland for the rehabilitation and reconstruction of various bridges; authorizing the Director of Public Service to enter into any agreements relative thereto; and to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement.

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

1. In Section 3, line 1, between "That" and "the" insert the following: **"after the Cleveland Landmarks Commission and the Cleveland City Planning Commission have reviewed and approved the portion of the improvement relating to the design of the bridge that carries St. Clair over Doan Brook."**

Amendment agreed to.

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

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

Ord. No. 1421-98.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase a site for development of Cleveland Hopkins Airport for uses approved by the Federal Aviation Administration

which may include public or employee parking, for the Department of Port Control.

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

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

Ord. No. 1611-98.

By Councilman Cimperman.

An emergency ordinance authorizing the Director of Public Service to issue a permit to Rochester Big and Tall, The Avenue at Tower City Center, to encroach into the public right-of-way at 224 West Prospect Avenue (aka The Bridge of Prospect Avenue, and aka 230 Huron Road, N.W.) with a canopy-type awning over the walkway entrance to their store.

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

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

Ord. No. 1689-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 48060 for the rehabilitation and expansion of Crown Waterworks Plant with National Engineering and Contracting Co., for the Department of Public Utilities.

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

1. In Section 1, at the last line, strike "52 SF 233" and insert in lieu thereof **"52 SF 223"**.

Amendment agreed to.

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

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

Ord. No. 1725-98.

By Councilmen Gordon, Zone and Johnson (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 225.08 thereof, relating to body piercing establishments.

Approved by Directors of Public Health, Finance, Law; Recommended by Committees on Public Health, Legislation, Finance, when amended as follows:

1. In Section 1, at Section 225.08(a), line 5, strike "Tattoo or".

Amendment agreed to.

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

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

Ord. No. 1730-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 994 East 149th Street to William L. and Juliette Stoudmire.

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

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

Ord. No. 1764-98.

By Councilman Cimperman.

An emergency ordinance to vacate a portion of Houston Avenue S.W. hereinafter described.

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

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

Ord. No. 1765-98.

By Councilman Cimperman.

An emergency ordinance to vacate a portion of Perry Court, N.E. hereinafter described.

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

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

Ord. No. 1770-98.

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

An emergency ordinance designating the Lee-Harvard Area Urban Redevelopment Area and approving the Lee-Harvard Area Urban Redevelopment Plan, for purposes of Sections 5709.41 and 5709.42 of the Ohio Revised Code.

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

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

Ord. No. 1847-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one high voltage surge high potential tester, for the Division of Water, Department of Public Utilities.

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

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

Ord. No. 1856-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 6062 Hillman Avenue to Ernest D'Agostino and Cynthia D'Agostino.

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

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

Ord. No. 1857-98.

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

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4705 Pallister Drive to Nancy Beth McFaye.

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

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

Ord. No. 1858-98.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone contract with E.G. Enterprises Services, Inc. to provide economic development assistance to partially finance the purchase of equipment for its operation located at 5000 Euclid Avenue, Cleveland, Ohio.

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

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

Ord. No. 1862-98.

By Councilmen Robinson, Willis, Rybka and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to make alterations and modifications in Contract No. 53380 for sidewalk improvements to Luke Easter Park, with R. DiLillo & Company LLC, for the Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property, Recreation, City Planning, Finance.

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

Ord. No. 1881-98.

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

An emergency ordinance determining the method of making the public improvement of rehabilitating and painting not to exceed twenty-five water towers and tanks, and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Ord. No. 1882-98.

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

An emergency ordinance to appropriate property for public purpose for new housing construction, located between East 84th and East 87th Streets and between Euclid and Chester Avenues.

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

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

Ord. No. 1884-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with E & L Properties, Ltd. to provide economic development assistance to partially finance the construction and renovation of real property at 9103 Buckeye Road, Cleveland, Ohio.

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

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

Ord. No. 1885-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Lextech Industries, Ltd. to provide economic development assistance to partially finance the acquisition and renovation of real property, machinery and equipment, located at 6800 Union Avenue, Cleveland, Ohio.

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

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

Ord. No. 1886-98.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with Shannon & Messer Home Finishing to provide economic development assistance to partially finance the acquisition and renovation of real property, located at 5700 Broadway Avenue, Cleveland, Ohio.

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

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

Ord. No. 1941-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. 49858 for the Lorain Avenue sewer replacement project with Independence Excavating for the Division of Water Pollution Control, Department of Public Utilities.

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

1. After Section 1, insert new Section 2 to read as follows:

"Section 2. That the Director of Public Utilities shall prepare a written description of the circumstances that caused the need for a subsidiary agreement and compile documents supporting the costs of the subsidiary work, and these items shall be contained in file no. 1941-A-98."

2. Renumber existing "Section 2" to read **"Section 3"**.

Amendments agreed to.

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

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

Ord. No. 1942-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of not to exceed fifteen tag along air compressors with air tools, for the Division of Water, Department of Public Utilities.

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

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

Ord. No. 1943-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary for miscellaneous building maintenance services for various buildings, for the Division of Cleveland Public Power, Department of Public Utilities.

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

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

Ord. No. 1944-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of hauling and disposal of water plant residuals, for the Division of Water, Department of Public Utilities.

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

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

Ord. No. 1945-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract of the rental of flasher safety lights, arrow bars and traffic control devices, for the various divisions of the Department of Public Utilities.

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

1. In the title, line 3, and in Section 1, line 5, after "rental" insert **"and/or purchase"**.

Amendment agreed to.

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

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

Ord. No. 1946-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional insurance consultants or one or more firms of professional insurance consultants to provide fire and extended insurance coverage for various locations within the Division of Cleveland Public Power, Department of Public Utilities, and to extend Contract No. 49448 with Hylant Maclean.

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

1. In the title, lines 3 through 7, strike "to employ one or more professional insurance consultants or one or more firms of professional insurance consultants to provide fire and extended insurance coverage" and insert in lieu thereof, "to purchase by contract fire and extended insurance coverage".

2. Strike Section 1 in its entirety and insert new Section 1 to read as follows:

"Section 1. That the Director of Public Utilities is hereby authorized to purchase by contract fire and extended insurance coverages and services for various locations of the Division of Cleveland Public Power, Department of Public Utilities, for a period of not to exceed three (3) years, beginning August 29, 1999.

The selection of an insurance company or agent to provide such insurance coverages and services shall be made by the Board of Control upon the nomination of the Director of Public Utilities from a list of qualified companies or agents after a full and complete canvass for the purpose of compiling such a list. The cost of the contract shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Utilities, and certified by the Director of Finance."

Amendments agreed to.

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

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

Ord. No. 1947-98.

By Councilmen Coats, Patmon, Rybka and Johnson (by departmental request).

An emergency ordinance determining the method of making the public improvement of installing detention tank piping in the Arbor/Taft area and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Ord. No. 1948-98.

By Councilmen Willis, Patmon, Rybka and Johnson (by departmental request).

An emergency ordinance determining the method of making the

public improvement of installing detention tank piping in the Woodside/Edmonton area and authorizing the Director of Public Utilities to enter into contract for the making of such improvement.

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

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

Ord. No. 1952-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of supplies needed for care and feeding of horses in the Mounted Unit for the Division of Police, Department of Public Safety, for a period of one year, with one option to renew for one consecutive year.

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

1. In Section 1, line 7, after "year," insert "which is \$20,000."

2. Insert a new Section 2 to read as follows:

"Section 2. That the Director of Public Safety shall report to the Public Safety Committee of Council prior to exercising the option to renew."

3. Renumber existing Sections 2 and 3, respectively, to new "Section 3" and "Section 4".

Amendments agreed to.

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

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

Ord. No. 1954-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various types of safety equipment, for the various divisions of the Department of Public Safety.

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

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

Ord. No. 1955-98.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell Cityowned property no longer needed for public use located at the northwest corner of East 131st Street and Iroquois Avenue to Umstead Management & Construction Company.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Parks, Recreation and Properties, City Planning, Finance.

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

Ord. No. 1959-98.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the State of Ohio, Depart-

ment of Development to assist in roadwork improvements on South Waterloo Road at Collinwood Yards Industrial Park.

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

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

Ord. No. 1961-98.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1012-98, passed June 15, 1998, relating to a contract to provide economic development assistance to purchase and renovate real property located at 12911 Taft Avenue, Cleveland, Ohio.

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

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

Ord. No. 2000-98.

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one diesel forklift truck, for the Division of Water, Department of Public Utilities.

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

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

Ord. No. 2001-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to apply for and accept State of Ohio and Federal grant funds.

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

1. At the end of Section 1, add the following new sentence: **"The Director of Port Control shall notify this Council, through its Clerk, of any grant or grants accepted under the authority of this ordinance, upon receipt of each such grant."**

Amendment agreed to.

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

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

Ord. No. 2002-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of labor and materials necessary to maintain and repair air conditioning systems for the various divisions of the Department of Port Control, for a period not to exceed two years.

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

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

Ord. No. 2005-98.

By Councilmen Coats, Zone and Johnson (by departmental request).

An emergency ordinance to amend Section 135.26 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 1116-98, passed July 29, 1998, relating to intermunicipal fire protection agreements.

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

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

Ord. No. 2007-98.

By Councilmen Jackson, Sweeney, Zone and Johnson (by departmental request).

An emergency ordinance to amend Sections 3167.01, 3167.02, 3167.03, 3167.04 and 3167.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2784-87, passed December 21, 1987, relating to flood plain management.

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

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

Ord. No. 2008-98.

By Councilmen Jackson, Westbrook and Johnson (by departmental request).

An emergency ordinance appropriating a portion of the funds obtained from Norfolk Southern and CSX and authorizing the Director of Economic Development to employ professional consultants to design and plan for noise mitigation improvements needed to ameliorate and mitigate the adverse environmental impacts caused by increased rail traffic within the City.

Approved by Directors of Economic Development, Finance, Law; Recommended by Committees on Community and Economic Development, Aviation and Transportation, Finance, when amended as follows:

1. In Section 3, insert the following as the last sentence: **"Prior to the expenditure of any funds authorized by Section 1 hereof and prior to the award of any contract by Board of Control pursuant to Section 2 hereof, the Director of Economic Development shall provide written notification of such expenditure or proposed contract award, detailing the applicable amount to the Clerk of Council. In the event that any payments have been made prior to the passage of this legislation, the Director of Economic Development shall provide an itemization of such expenditures to the Clerk of Council. The Executive Summary shall be included as a File No. 2008-98-A of this legislation."**

Amendment agreed to.

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

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

Ord. No. 2045-98.

By Councilman Johnson (by departmental request).

An emergency ordinance to transfer the sum of Four Million Seven Hundred Nine Thousand One Hundred Seventy-Eight Dollars (\$4,709,178) within the various divisions of the General Fund, Four Hundred Thousand Dollars (\$400,000) within the Special Revenue Fund, Two Million Two Hundred Nineteen Thousand One Hundred Ninety-Seven Dollars (\$2,219,197) within the Enterprise Fund and One Hundred Sixty Four Thousand Five Hundred Fifty Dollars (\$164,550) within the Agency Fund.

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

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 18. Nays 2.

Those voting yea were Councilmen: Westbrook, Britt, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, White and Zone.

Those voting nay: Councilmen Lewis and Willis.

Absent: Councilman Cimperman.

Ord. No. 2047-98.

By Councilman Johnson (by departmental request).

An emergency ordinance to make additional appropriation of One Million Two Hundred Twenty Three Thousand Eight Hundred Twenty Nine Dollars (\$1,223,829) of the Internal Service Fund and Three Million Eight Hundred Ninety Thousand Dollars (\$3,890,000) of the Enterprise Service Fund and Sixty Two Thousand Dollars (\$62,000) of the Sinking Fund.

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

The rules were suspended. Yeas 20. Nays 0. Read third time in full. Passed. Yeas 19. Nays 1.

Those voting yea were Councilmen: Westbrook, Britt, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, White, Willis and Zone.

Those voting nay: Councilman Lewis.

Absent: Councilman Cimperman.

Ord. No. 2049-98.

By Councilmen Westbrook and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into an amendment with Continental Airlines, Inc., City Contract No. 38171, to provide for the deletion of certain space from the Lease, effective October 7, 1998, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

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

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

Ord. No. 2050-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the 1999 Selective Traffic Enforcement Program.

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

1. Insert a new Section 3 to read as follows:

"Section 3. That the Director of Public Safety shall review and evaluate the Program for the Council's Public Safety Committee meeting in February, 1999."

2. Renumber existing Section 3 to new **"Section 4"**.

Amendments agreed to.

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

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

Ord. No. 2051-98.

By Councilmen Coats and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of one IBM tape drive, one tape controller and associated cables and software necessary to read LEADS tapes, for the Division of Police, Department of Public Safety.

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

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

Ord. No. 2053-98.

By Councilmen Cimperman, Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Mall Plaza Maintenance Board to make improvements to Mall C; determining the method of making the public improvement of improving Mall C; and authorizing said director to enter into contract for the making of said improvement.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, Finance, Law.

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

Ord. No. 2054-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of Urban Forest property maintenance services, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property, and Recreation, Finance, when amended as follows:

1. Insert a new Section 2 to read as follows:

"Section 2. That all funds designated for the cemeteries shall be used solely for the purpose of the maintenance and preservation of the cemeteries."

2. Renumber existing Sections 2 and 3, respectively, to new **"Section 3"** and **"Section 4"**.

Amendments agreed to.

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

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

Ord. No. 2055-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various types of electrical motors and pumps, including labor and materials necessary for their repair and maintenance, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on Public Parks, Property, and Recreation, Finance, when amended as follows:

1. In Section 2, line 1, after "contract" insert "shall not exceed \$175,000 and shall".

Amendment agreed to.

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

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

Ord. No. 2095-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an agreement with Hill and Knowlton for Washington lobbying services for the City of Cleveland.

Approved by Directors of Finance, Law; Recommended by Committee on Finance, when amended as follows:

1. At the end of Section 1, add the following new sentence:

"On a quarterly basis, the Director of Finance shall submit to this Council, through its Clerk, a summary of all matters and projects that Hill and Knowlton has worked on for the City under this contract."

Amendment agreed to.

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

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

Ord. No. 2098-98.

By Councilmen Westbrook, Zone and Johnson (by departmental request).

An emergency ordinance to amend Section 183.042 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 3138-83, passed June 19, 1984, relating to permit agreements for sale of alcoholic beverages at airline clubs.

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

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

Ord. No. 2103-98.

By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to enter into a concession agreement or agreements to provide first-class food and beverage services in the Cleveland Convention Center and other City facilities under control of the Director of Parks, Recreation and Properties for a period of not to exceed seven years.

Approved by Directors of Parks, Recreation and Properties, Finance, Law; Recommended by Committees on

Public Parks, Property and Recreation, Finance, when amended as follows:

1. In Section 1, line 9, after "time", strike "during" and insert in lieu thereof "for".

Amendment agreed to.

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

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

Ord. No. 2111-98.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 9250 Miles Park Avenue to Union-Miles Development Corporation.

Approved by Directors of Parks, Recreation and Properties, City Planning Commission, Finance, Law; Recommended by Committees on Public Parks, Property and Recreation, City Planning, Finance.

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

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 1821-98.

By Councilman Westbrook (by request).

An emergency resolution declaring the intention to vacate a portion of Keith Court.

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

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

Res. No. 1963-98.

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

An emergency resolution declaring the necessity and intention to appropriate property for the public use of re-aligning Aetna Road at Broadway Avenue.

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

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

Res. No. 1964-98.

By Councilman Gordon.

An emergency resolution declaring the intention to vacate all those portions of West 42nd Street, West 44 Place, and Stardale Court S.W.

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

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

LAID ON THE TABLE

Ord. No. 2003-A-98 (as a substitute for Ord. No. 2003-98).

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various on-road vehicles and off-road equipment, for the various divisions of City government.

Without objection, Ordinance No. 2003-A-98 was Laid on the Table pursuant to the Rules of Council.

MOTION

By Councilman Coats, seconded by Councilman Polensek and unanimously carried that the absence of Councilman Joe Cimperman be and is hereby authorized.

The Council adjourned at 8:45 p.m. to meet at 7:00 p.m. on Monday, January 4, 1999.

Artha Woods

Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

December 9, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 9, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Acting Director Marks, Directors Konicek, Balraj, Guzman, Staib, Acting Director Terry, Directors Jackson, Hudecek, Nolan and Warren.

Absent: Director Axelord.

Others: William A. Moon, Commissioner, Purchases and Supplies. Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

Resolution No. 792-98.

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Industrial Construction Company Inc., contractor for the public improvement of the Crown Waterworks Reservoir Rehabilitation, Westlake, Ohio, under City Contract No. 53410, authorized by Ordinance No. 965-93, passed July 14, 1993, and the Board of Control Resolution No. 567-98, adopted August 12, 1998, are hereby approved.

Subcontractor	Work
Schweizer-Dipple, Inc.	Mechanical
Robinson Pipe Services	Underdrain Cleaning
Erie Industrial Companies	Asbestos abatement and lead disposal
Herbst Electric Co.	Electrical
Bur Bros. Masonry, Inc.	Masonry bulkheads
Coon Caulking & Sealants	Masonry Restoration

Yeas: Mayor White, Acting Director Marks, Directors Carmody, Konicek, Balraj, Guzman, Staib, Acting Director Terry, Directors Jackson, Hudecek, Nolan and Warren.

Nays: None.

Absent: None.

Resolution No. 793-98.

By Director Konicek.

Whereas, pursuant to the authority of Ordinance No. 1071-93, passed by the Council of the City of Cleveland on June 7, 1993, and Resolution Nos. 683-98, adopted by the Board of Control on October 7, 1998, the City, through its Director of Public Utilities, entered into an agreement with Davey Resource Group ("Consultant") Contract No. 53645, for project management services necessary for the Cleveland Public Power System Expansion Program; and

Whereas, the City desires to modify the scope of the project management services of the Consultant's contract to expand the management services for guarantee inspections for the 1997 planting and the Fall 1998 tree planting; and

Whereas, Consultant has proposed by its letter dated October, 1998, to provide such additional project management services for an amount not to exceed \$37,786.00; now therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is hereby authorized to enter into a modification to Contract No. 53645 with Davey Resource Group for the additional project management services required to complete Cleveland Public Power's tree planting project on the basis of the Consultant's October, 1998 proposal. The compensation for such additional services shall not exceed a total of \$37,786.00, thereby increasing the total compensation payable under Contract No. 53645 to \$57,536.00. The modification authorized hereby shall be prepared by the Director of Law and shall include such additional provisions as said Director deems necessary to benefit and protect the public interest.

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 794-98.

By Director Konicek.

Resolved, by the Board of Control of the City of Cleveland, that the bid of Perk Company, Inc. for the public improvement of constructing and repairing catch basins and manholes in various locations throughout the City for the Division of Water Pollution Control, Department of Public Utilities, received on the 22nd day of October, 1998, pursuant to the authority of Ordinance No. 352-98, passed June 15, 1998, upon a unit basis for the improvement to be performed as ordered during the period of one (1) year beginning with the date of execution of a contract at the unit prices set forth in the said bid, which on the basis of the estimated work to be done would amount to Two Hundred Twenty-Five Thousand Sixty and 00/100 (\$225,060.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is hereby requested to enter into a requirement contract for said improvement, which contract shall provide for the initial performance of the following work hereunder:

Requisition No. 27052

which shall be certified against such contract in the sum of One Hundred Eighty Thousand and 00/100 (\$180,000.00) Dollars.

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

Be it further resolved that the employment of the following subcontractors to Perk Company, Inc. for the above-mentioned public improvement is hereby approved:

**SUBCONTRACTOR
MBE/FBE****WORK**

Alexa Trucking MBE	Trucking
Collinwood Shale Brick FBE	Supply ready mix concrete and supplies

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 795-98.

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 728-98, adopted October 28, 1998, approving the bid of Inland Waters of Ohio for the Division of Cleveland Hopkins International Airport, Department of Port Control, is hereby amended by correcting the Ordinance passage date from "June 8, 1998" to "June 15, 1998".

Be it further resolved that all other provisions of said Resolution No. 728-98 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 796-98.

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Spirit Communication & Contracting, Incorporated for the public improvement of the Removal of Underground Storage Tanks and Replacement with a Aboveground Tanks at Cleveland Hopkins Airport for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on November 18, 1998, pursuant to the authority of Ordinance No. 550-98, passed June 15, 1998, for a gross price, for the improvement in the aggregate amount of One Hundred and Thirty Thousand, Four Hundred and Fifty-Seven (\$130,457.00) Dollars, is hereby affirmed and approved as the lowest responsible bid; and the Director of Port Control is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 797-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of National Bullet Co., Inc. for an

estimated quantity of Ammunition, Group B, 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 October 29, 1998, pursuant to Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Ninety Six Thousand, Six Hundred Forty and no/100 Dollars, (\$96,640.00). (Net), 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. 17559

100,000 Group B Item #1 - 9mm Parabellum reloads as per specifications which shall be certified against such contract in the sum of Eleven Thousand, Seven Hundred Fifty-Five and no/100 Dollars (\$11,755.00).

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 Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 798-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Abele Davis Corp. for an estimated quantity of Ammunition, Group A, items 2, 3, 4, 6 and 7, 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 October 29, 1998, pursuant to Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Twenty Seven Thousand, Six Hundred Ninety Seven and 50/100 Dollars, (\$27,697.50). (Net), 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. 17558

20,000 rounds of Group A Item #3-Buckshot loads per specifications which shall be certified against such contract in the sum of Four Thousand, Nine Hundred Fifty-Eight and no/100 Dollars (\$4,958.00).

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 Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 799-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of Kiesler Police Supply, Inc. for an estimated quantity of Ammunition, Group A, items 1, 5 and 8 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 October 29, 1998, pursuant to Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifty-Two Thousand, One Hundred Ninety Seven and 50/100 Dollars, (\$52,197.50), 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 of the initial amount of such contract of the following:

Requisition No. 17560

50,000 rounds of Group A Item #1-9MM handgun ammunitions per specifications

which shall be certified against such contract in the sum of Thirteen Thousand, Five Hundred Eighteen and 50/100 Dollars (\$13,518.50).

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 Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 800-98.

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that all bids received on November 12, 1998 for One (1) Direct Fired Air Make-Up Unit, for the Dog Kennels of the Department of Public Safety, pursuant to the authority of Ordinance No. 2839-90, passed January 28, 1991, be and the same are hereby rejected.

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 801-98.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 106-23-107 and 106-23-108 under said Land Reutilization Program; and

Whereas, Ordinance No. 1966-98 passed November 9, 1998, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Michael R. Acree and Annie L. Acree 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. 1966-98 passed November 17, 1998, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Michael R. Acree and Annie L. Acree for the sale and development of Permanent Parcel Nos. 106-23-107 and 106-23-108, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 (each), which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 802-98.

By Director Hudecek.

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

Whereas, City has acquired Permanent Parcel Nos. 106-23-110, 106-23-111 and 106-23-151 under said Land Reutilization Program; and

Whereas, Ordinance No. 1965-98 passed November 9, 1998, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Freddie Love and Olivia Love 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. 1965-98 passed November 9, 1998, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Freddie Love and Olivia Love for the sale and development of Permanent Parcel Nos. 106-23-110, 106-23-111 and 106-23-151, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 (each), which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and Axelrod.

Nays: None.

Absent: None.

Resolution No. 803-98.

By Director Balraj.

Whereas, pursuant to the authority of Ordinance No. 1091-95, passed by the Council of the City of Cleveland on June 19, 1995, the City of Cleveland entered into a Lease By Way of Concession with APCOA Inc., City Contract No. 48824, to provide for the operation of a public parking facility situated at Burke Lakefront Airport and a facility

located at the southeast corner of East 9th Street and North Marginal Road; and

Whereas, pursuant to the authority of Ordinance No. 911-98, passed by the Council of the City of Cleveland on June 15, 1998, the City of Cleveland authorized a First Amendment to said Contract No. 48824 to reflect certain necessary changes in the business terms and conditions; and

Whereas, by letter of September 3, 1998, APCOA, Inc. has requested the City's consent to assign its interests in the East 9th Street portion of the Lease to APCOA Parking Venture IV, L.L.C. and to an immediately subsequent collateral assignment by APCOA Parking Venture IV, L.L.C. to Star Bank, N.A., to secure the financing of capital improvements being undertaken by APCOA, Inc. through a third party; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the terms of the Lease By Way of Concession with APCOA, Inc., City Contract No. 48824, this Board does hereby consent to the request, of APCOA, Inc. to assign its interests in the East 9th Street portion of said Lease to APCOA Parking Venture IV, L.L.C. and to an immediately subsequent collateral assignment by APCOA Parking Venture IV, L.L.C. to Star Bank, N.A.

Be it further resolved that the Director of Port Control is hereby authorized to execute all documents and do all things necessary to effectuate the consents to assignment authorized herein.

Yeas: Mayor Carter, Directors Carmody, Konicek, Balraj, Guzman, Staib, Jackson, Hudecek, Nolan and 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, DECEMBER 28, 1998

No appeals will be scheduled for hearing before the Board of Zoning Appeals on Monday, December 28, 1998.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, DECEMBER 14, 1998

At the Meeting of the Board of Zoning Appeals on Monday, December 14, 1998, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 98-243: 1442 East 110th Street

Willa Wright, owner, appealed to change use of existing 26' x 49' two-story frame two family dwelling house into a type 'A' child care facility situated on a 39' x 100' parcel in a Two-Family District.

Calendar No. 98-247: 5603 Memphis Avenue, S.W.

Dominic S. Sforzo, owner, appealed to construct a 60' x 129' off-street 22-car parking lot accessory to the restaurant at 5517 Memphis Avenue in a Local Retail District.

The following appeal was **Denied**:

Calendar No. 98-224: 3979 Pearl Road Brookside Auto Parts, Inc., owner c/o Michael Blake, agent, appealed from the violation notice relating to exterior maintenance of property as issued by the Division of Building and Housing on September 15, 1998 for the Cleveland Department of Community Development.

Calendar No. 98-230: 6630-50 Broadway

David Mathoslah, owner c/o Scott Stefl, attorney, appealed from the violation notice relating to a certificate of occupancy for operation of a commercial business using existing landscaping which is 3' instead of the required 6' as issued by the Division of Building and Housing on October 22, 1998 for the Cleveland Department of Community Development.

The following appeal was **Withdrawn**:

Calendar No. 98-242: 3800 Pearl Road, a.k.a. 3802-3808 Pearl Road, S.W. Brooklyn Masonic Temple, owner, and Gateau Royal, tenant c/o Denise Kahwagi, appealed to change use of an existing 20' x 65' storefront of a two-story stores and assembly hall building into a bakery located in a Local Retail District.

The following appeals were **Postponed**:

Calendar No. 98-206: 3520 East 116th Street postponed to January 19, 1999.

Calendar No. 90-241: 12212 Bellaire Road, S.W. postponed to January 11, 1998.

On Monday, December 14, 1998 in Executive Session:

The following appeals were heard on Monday, December 7, 1998, and said decisions to **GRANT** were approved and adopted by the Board on December 14, 1998:

Calendar No. 98-215: 3337 Central Avenue, S.E.

McClain Market, owner c/o Cordell Hubbard, appealed to construct a 14'-6" x 52' grocery store building to an existing 18' x 60' one-story masonry and wood frame store building on a 50' x 107' lot in a Two-Family District.

Calendar No. 98-225: 2265 West 7th Street

Tremont Ridge, Phase I, Limited Partnership, owner c/o Keith Sutton, appealed to erect a 20' x 40' three-story, two-family dwelling house with full basement and a 20' x 20' detached garage on a 33' x 140' lot in a Two-Family District.

The following appeals were heard on Monday, December 7, 1998, and said decision to **DENY** was approved and adopted by the Board on December 14, 1998:

Calendar No. 98-237: 13532 Terminal Avenue

Roy K. Cunningham III, owner, appealed to construct a 30' x 24' one-story wood frame reverse gable private garage at the rear of a 40' x 125' parcel with an existing 30' x 28' one-story dwelling unit in a One-Family District.

EUGENE CRANFORD, JR.,
Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of
December 9, 1998

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 of the subject meeting is given for publication in The City Record:

* * *

Docket A-103-96.

RE: Continuance of Appeal of George Cornell, Owner of the Commercial One-Story Masonry property located on the premises known as 14224 Miles Avenue (a.k.a. 14210 Miles Avenue) from a NOTICE OF VIOLATION/GENERAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated May 29, 1998, 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 REMAND the property at 14224 Miles Avenue (a.k.a. 14210 Miles Avenue) to the Division of Building and Housing for further action, coordinating the parking lot restrictions and repaving requirements. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

Docket A-121-98.

RE: Appeal of Emile & Hayat Daher/Robert Modic, Owners and Tenant of the One-Story Masonry Restaurant/Bar Property located on the premises known as 3230-34 Euclid Avenue from NOTICES OF VIOLATIONS/HVAC/ TEAM INSPECTION/ELECTRICAL/GENERAL MAINTENANCE of the Commissioner of the Division of Building and Housing dated June 17, 1998, 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 REMAND the property at 3230-34 Euclid Avenue to the Division of Building and Housing for supervision and further action with the provision that the Appellant may reappeal issues upon notification with thirty days (30 das.) and with the provisions that the life-safety issues be **immediately** abated within seven days (7 das.) Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-165-98.

RE: Appeal of Ian J. Abrams, Owner of the One-Story Steel Commercial Property located on the premises known as 8300 Bessemer Avenue (Rear) from 72 HOUR EMERGENCY DETERIORATED/MAIN STRUCTURE of the Commissioner of the Division of Building and Housing dated September 22, 1998, 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 REMAND the property at 8300 Bessemer Avenue (Rear) to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

Docket A-177-98.

RE: Appeal of The Northern Ohio Lumber & Timber Co., Owner of the Property located on the premises known as 1895 Carter Road from a NOTICE OF VIOLATION/FIRE CODE of the Chief of the Division of Fire dated September 22, 1998, 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 DENY the Appellant's appeal request and to require that a siamese connection be placed in the sprinkler system for fire prevention for the Fire Department use; the property is REMANDED at this time to the Division of Fire for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-183-98.

RE: Appeal of Antoinette Hamilton, Owner of the Property located on the premises known as 3316 West 65th Street from a NOTICE OF VIOLATION

LATION — FIRE CODE of the Chief of the Division of Fire dated August 17, 1998, 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 find that the fire suppression system for the spray booth must be installed and that the issue of the sprinkler system is to be pursued by either obtaining a "Change Of Use Permit" and "Certificate of Occupancy" in order to properly abandon the sprinkler system or reactivate the sprinkler system; the property is REMANDED at this time to the Division of Fire for supervision and further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

Docket A-184-98.

RE: Appeal of Joyce Hamley, Owner of the Two/one-half Story Frame Residential Garage located on the premises known as 5534 Flowerdale Avenue from a CONDEMNATION ORDER — GARAGE of the Commissioner of the Division of Building and Housing dated September 23, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

Docket A-184-98 has been WITHDRAWN at the request of the Appellant via telephone voice mail message received 12/02/98.

* * *

Docket A-185-98.

RE: Appeal of Paris Foods Corp., Owner of the Property located on the premises known as 2742 Grand Avenue from NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated September 15, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; the Appellant will submit within thirty days (30 das.) to the Board the cost of the sprinkler system, a code study, and an architect's opinion indicating why you do or do not require a sprinkler system in this facility; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-186-98.

RE: Appeal of F&P Product LLC c/o The Final Cut, Owner of the Property located on the premises known as 2752 Grand Avenue from a NOTICE OF VIOLATION — FIRE CODE of the Chief of the Division of Fire dated September 15, 1998, requiring compliance with the Codified Ordinances of the City of Cleveland, and the Ohio Basic Building Code (OBBC).

No action; the Appellant will submit within thirty days (30 das.) to the Board the cost of the sprinkler system, a code study, and an architect's opinion indicating why you do or do not require a sprinkler system in this facility; the docket will be rescheduled in thirty days (30 das.).

* * *

Docket A-187-98.

RE: Appeal of John S. Tripodis, Owner of the Two/one-half Story Frame Residential Property located on the premises known as 3609 Mem-

phis Avenue from a CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated October 13, 1998, 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 ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to obtain permits and abate the violations, the property is to be maintained properly on the exterior and boarded and secured and to require that the boat be properly and legally stored. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

Docket A-188-98.

RE: Appeal of James Nelson, Owner of the One/one-half Story Frame Residential Property located on the premises known as 12720 Firby Avenue from a VACATE FORTHWITH/CONDEMNATION ORDER/ELECTRICAL/HVAC/PLUMBING of the Commissioner of the Division of Building and Housing dated April 14, 1998, 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 VACATE FORTHWITH/CONDEMNATION ORDER/ELECTRICAL/HVAC/PLUMBING and LETTER OF INTENTION TO DEMOLISH by granting the Appellant one month (1 mo.) in which to complete abatement of the violations. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-189-98.

RE: Appeal of Margaret Arthur, Owner of the Two/one-half Story Frame Residential Property located on the premises known as 10301 Parkview Avenue from a VACATE FORTHWITH/CONDEMNATION ORDER of the Commissioner of the Division of Building and Housing dated October 1, 1998, 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 VACATE FORTHWITH/CONDEMNATION ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant three months (3 mos.) in which to complete abatement of the violations, the property may be occupied by a single adult occupant for secu-

ity reasons upon the agreement of the building inspector. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and required further action. Motion so in order. Motioned by Mr. Williams and seconded by Mr. Saunders.

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

* * *

Docket A-192-98.

RE: Appeal of Lewis G. Robinson, Owner of the Three-Story Wood Frame Residential Property located on the premises known as 1242 East 89th Street from a 30 DAY CONDEMNATION/VACATE ORDER of the Commissioner of the Division of Building and Housing dated October 5, 1998, 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 30 DAY CONDEMNATION/VACATE ORDER and LETTER OF INTENTION TO DEMOLISH by granting the Appellant one month (1 mo.) in which to obtain permits and abate the violations, the property must remain secured and the grounds debris free during this period of time without occupancy. Upon passage of this motion, this matter shall be REMANDED to the Commissioner of the Division of Building and Housing at the end of that time for supervision and required further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Williams.

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

* * *

Docket A-213-98.

RE: Appeal of Musical Arts Assoc. (Severance Hall), Owner Property located on the premises known as 11001 Euclid Avenue from a NOTICE OF VIOLATION — ELEVATOR CODE of the Commissioner of the Division of Building and Housing dated November 17, 1998, 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 DENY the Appellant's appeal request and to require that proper working clearance be maintained above the elevator car. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bowes.

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

* * *

EXTENSION OF TIME:

Docket A-95-98 — Nationsban Mortgage Corp. — 3381 East 126th Street:

A motion is in order at this time to DENY the Appellant's request for a four month (4 mo.) "Extension of Time" in which to complete abatement of the violations, the property is REMANDED at this time to the Division of Building and Housing

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

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

* * *

Docket A-137-98 — Perry & Joan Kendall, Sr. — 17415 Miles Avenue:

A motion is in order at this time to grant the Appellant a thirty day (30 da.) "Extension of Time" in which to complete abatement of the violations, the property is REMANDED at this time to the Division of Building and Housing for further action. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-171-98—Ivanhoe Properties, Ltd.
- A-178-98—Dino M. DeSantis.
- A-197-98—Campus Movers.
- A-207-98—One Market Square Park Ltd.
- A-208-98—Colonial Marketplace, LLC.

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

* * *

Separate motions were entered by Mr. Saunders and seconded by Mr. Bowes 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-182-98—Eliza Bryant Center.

Yeas: Messrs. Denk, Bowes, Saunders. Nays: Mr. Williams. Absent: Mr. Sullivan.

* * *

APPROVAL OF AMENDED RESOLUTION:

Separate motions were entered by Mr. Saunders and seconded by Mr. Bowes for approval and Adoption of the Amended 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):

Docket A-208-98 Colonial Marketplace, LLC — 530 Euclid Avenue:

FROM: . . . to grant the variances to Items 1, 2, and 3 of the Adjudication Order (dated 11/9/98) for the Euclid Colonial Arcades permitting the building to be constructed and occupied with those variances.

TO: . . . to grant the variances to Items 1, 2, 3 and 5 of the Adjudication Order (dated 11/09/98) for

the Euclid Colonial Arcades permitting the building to be constructed and occupied with those variances. Motion so in order. Motioned by Mr. Bowes and seconded by Mr. Saunders . . .

Yeas: Messrs. Denk, Bowes, Saunders. Nays: Mr. Williams. Absent: Mr. Sullivan.

* * *

APPROVAL OF MINUTES:

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

November 25, 1998

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

* * *

JOSEPH F. DENK,
CHAIRMAN

PUBLIC NOTICE

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

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

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

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

WEDNESDAY, DECEMBER 23, 1998

New Cleveland Browns NFL Football Stadium - Bids for the Pedestrian Connector and Mall Stairs, for the Department of Parks, Recreation and Properties, as authorized by Ordinance No. 304-96, passed by the Council of the City of Cleveland.

BID DOCUMENTS MAY BE OBTAINED IN THE DIVISION OF PURCHASES AND SUPPLIES FOR THE NON-REFUNDABLE COST OF ONE HUNDRED DOLLARS (\$100.00). ONLY CERTIFIED OR CASHIER'S CHECKS WILL BE ACCEPTED.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, DECEMBER 8, 1998, 10:00 A.M. IN ROOM 514 AT CLEVELAND CITY HALL, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

December 2, 1998, December 9, 1998 and December 16, 1998

WEDNESDAY, DECEMBER 23, 1998

Forest Hills Park Court Improvements, Grdina Playground Fence Improvements and Oman Park Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 619-98, 1605-98 and 1455-94, passed by the Council of the City of Cleveland, June 15, 1998, October 19, 1998, and November 21, 1994, respectively.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) 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.

Various Equipment and Appurtenances for Combination Sewer and Catch Basin Cleaners, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 817-98, passed by the Council of the City of Cleveland, June 8, 1998.

Repair Parts for Pumps, Small Engines and Saws, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

December 9, 1998 and December 16, 1998

THURSDAY, DECEMBER 24, 1998

The Reconstruction of the Erieside and West 3rd St. Area Pump Station - Phase II, for the Division of Water Pollution Control, as authorized by Ordinance No. 2020-97, passed by the Council of the City of Cleveland.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK OR MONEY ORDER 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.

One (1) Direct Fired Air Make-Up Unit, for the Department of Public Safety, as authorized by Ordinance No. 2839-90, passed by the Council of the City of Cleveland, January 28, 1991.

December 9, 1998 and December 16, 1998

WEDNESDAY, DECEMBER 30, 1998

Analysis of Soil and Dust Samples, for the Division of Environment, Department of Public Health, as authorized by Ordinance No. 432-98, passed by the Council of the City of Cleveland, October 19, 1998.

Labor and Materials to Repair Various Air Tools, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2017-98, passed by the Council of the City of Cleveland, January 26, 1998.

Pipe Repair Couplings, 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.

One (1) Mail Inserter Machine, for the Division of Water, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2100-97, passed by the Council of the City of Cleveland, February 2, 1998.

December 9, 1998 and December 16, 1998

THURSDAY, DECEMBER 31, 1998

Two (2) Off-Road Trucksters, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

Six (6) Diesel Front Cutter Mowers, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

Emergency Light Bars, Emergency Sirens, Shotgun Locks and Screen Conversion Kits, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

One (1) Brush Clipper, for the Various Divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

December 9, 1998 and December 16, 1998

THURSDAY, JANUARY 7, 1999

East 40th Street Reconstruction, Phase I: Central Avenue to Superior, as authorized by Ordinance No. 1258-97, passed by the Council of the City of Cleveland, July 16, 1997.

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

December 9, 1998, December 16, 1998 and December 23, 1998

WEDNESDAY, JANUARY 6, 1999

Lonnie Burten Recreation Center Site Improvements, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 929-97, passed by the Council of the City of Cleveland, June 9, 1998.

A DEPOSIT OF TWENTY-FIVE DOLLARS (\$25.00) CERTIFIED CHECK OR MONEY ORDER 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.

December 16, 1998, December 23, 1998 and December 30, 1998

THURSDAY, JANUARY 7, 1999

New Tires, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1851-98, passed by the Council of the City of Cleveland, November 23, 1998.

Cold Mix, for the Division of Street Maintenance, Department of Public Service, as authorized by Ordinance No. 1235-98, passed by the Council of the City of Cleveland, September 25, 1998.

SSI Tack Coat, for the Division of Street Maintenance, Department of Public Service, as authorized by Ordinance No. 1238-98, passed by the Council of the City of Cleveland, September 25, 1998.

December 16, 1998 and December 23, 1998

FRIDAY, JANUARY 8, 1999

Continental Airlines — Cleveland 2000 New Concourse D Building Expansion Program — Bid Package 10E — Communications Infrastructure, for the Department of Port Control.

PLANS AND SPECIFICATIONS MAY BE OBTAINED FROM MORSE DIESEL INTERNATIONAL, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135, FOR THE FEE OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK OR MONEY ORDER ONLY. EACH PROSPECTIVE BIDDER MUST BE SYSTEMS CERTIFIED BY LUCENT TECHNOLOGIES.

BIDS WILL BE RECEIVED AND OPENED AT THE CONTINENTAL AIRLINES, INC., CTC

BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135, AND SHOULD BE ADDRESSED TO THE ATTENTION OF FRANK ROETZEL.

December 16, 1998 and December 23, 1998

FRIDAY, JANUARY 8, 1999

Remanufactured Transmissions, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 554-98, passed by the Council of the City of Cleveland, May 18, 1998.

December 16, 1998 and December 23, 1998

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 2124-98.

By Councilman Cintron.

An emergency resolution objecting to the transfer of ownership of a D5, Liquor Permit to 3259 W. 25th St., 1st Fl. & Bsmt.

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from Permit No. 0210615, Ariadne Inc., DBA Teasers, 3259 W. 25th St., 1st Fl. & Bsmt., Cleveland, Ohio 44109, to Permit No. 0341666, Axis Corp., 3259 W. 25th St., 1st Fl. & Bsmt., 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 D5 Liquor Permit from Permit No. 0210615, Ariadne Inc., DBA Teasers, 3259 W. 25th St., 1st Fl. & Bsmt., Cleveland, Ohio 44109, to Permit No. 0341666, Axis Corp., 3259 W. 25th St., 1st Fl. & Bsmt., 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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2125-98.
By Councilmen Willis, Johnson, Coats and Westbrook.

An emergency resolution urging the Administration to institute a civil lawsuit against firearm manufacturers.

Whereas, firearms are the weapons most commonly used in homicides in this country and are involved in the deaths of approximately 34,000 persons each year; and

Whereas, firearms were used to commit 69% of all homicides in this country in 1995 and 68% of all homicides in 1996; and

Whereas, in 1990, 82% of all homicides of persons aged 15-19 were committed with firearms and homicide is the second leading cause of deaths for youths aged 15-19; and

Whereas, firearm manufacturers, knowingly design, manufacture, market, and distribute thousands of firearms in order to facilitate their entry into and possession in Cleveland and other cities, where they are often used in the commission of crimes, including crimes in which residents of Cleveland are killed, maimed or terrorized; and

Whereas, the cities of Chicago and New Orleans have instituted civil lawsuits against firearm manufacturers under public nuisance and product liability theories; and

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, health or safety in that firearm manufacturers know and foresee their conduct creates an unreasonable threat to public health and safety; now, therefore,

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

Section 1. That the Council urges the Administration to explore the feasibility of instituting a lawsuit against firearm manufacturers on the basis of public nuisance, product liability or other appropriate legal theories.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to the Mayor, the Director of Law and to the Attorney General of the State of Ohio.

Section 3. That the Director of Law is hereby requested to provide a report to the Committee on Public Safety within one hundred and twenty (120) days of passage of this resolution indicating what legal action or actions have been recommended pursuant to the provisions of this resolution.

Section 4. 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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Res. No. 2134-98.
By Councilmen Gordon, Jackson, Cimperman, Westbrook, Jones, White, Robinson, Johnson, Britt, Lewis, Patmon, Willis, Coats, Polensek, Rybka, Cintron, Moran, Melena, Zone, Sweeney and Dolan.

An emergency resolution urging awareness, education, training and funding to stop the HIV/AIDS epidemic.

Whereas, the HIV/AIDS epidemic is one of the most important public health issues in the world; and

Whereas, HIV, Human Immunodeficiency Virus, is a virus that is transmitted from person to person through the direct exchange of blood, semen, vaginal fluids and breast milk. This virus gradually weakens and eventually destroys the body's immune system; and

Whereas, the latency period from the HIV infection to full blown AIDS is approximately 12 years and continues to increase; and

Whereas, AIDS, Acquired Immunodeficiency Syndrome, is a medical condition in which an individual meets a series of diagnostic criteria established by the Centers for Disease Control; such criteria include: the individual is HIV Positive (HIV+); has a white blood cell count at below 200; and suffers from a disease or secondary infection defined by the CDC; and

Whereas, an individual infected with HIV or AIDS can infect another person through the direct exchange of blood, semen, vaginal fluids and breast milk; and

Whereas, a person inflicted with HIV or AIDS can look and feel perfectly healthy with no outward signs of the illness; and

Whereas, the number of people who are HIV+ are currently unknown, but that the number is many times greater than the number of reported cases of AIDS; and

Whereas, the World Health Organization estimates the existence of approximately 37 million cases of HIV globally as of mid-1998; and

Whereas, the Centers for Disease Control report 641,086 cumulative cases of AIDS in the United States, of which an estimated 250,394 are alive and living with AIDS; and

Whereas, the Ohio Department of Health has conservatively estimated 18,000 cases of HIV in Ohio; and

Whereas, the number of reported cases of AIDS in Ohio is 9,565; and

Whereas, the Ohio Department of Health has conservatively estimated that 4,500 HIV+ people live in Cuyahoga County; and

Whereas, there are 2,783 reported AIDS cases in the Cuyahoga region, comprised of Cuyahoga, Ashtabula, Geauga, Lake, Lorain and Medina counties; and

Whereas, the Cuyahoga County Region accounts for 29% of the AIDS cases in Ohio; and

Whereas, in 1995, Cleveland became an AIDS Tier One City and the City of Cleveland's Department of Public Health declared a State of Emergency in Cleveland; and

Whereas, the epidemiological profile of AIDS cases in Cuyahoga County reports that males represent approximately 83% of the cases and females account for slightly more

than 15% of the total AIDS cases known to exist in 1997; and

Whereas, most new cases of HIV infection in women resulted from heterosexual contact; and

Whereas, an estimated 1,205 of the reported AIDS cases in Cuyahoga County are residents in the City of Cleveland; and

Whereas, there is a disproportionate percentage of minorities living with AIDS in Cleveland. Of the AIDS cases in Cleveland, 68% are African American, although they represent only 41% of the population; 11% are Hispanic, although they represent only 5% of the population of the City; and

Whereas, the Centers for Disease Control and other experts say the most effective method to stop the HIV/AIDS epidemic is through prevention; and

Whereas, the Cleveland City Council's Public Health Committee is committed to the goal of stopping the spread of HIV/AIDS; and

Whereas, the Public Health Committee is committed to bringing services and prevention education to all segments of the population of Cleveland; and

Whereas, no one is immune from HIV/AIDS and no one has been cured of HIV/AIDS; and

Whereas, the only way not to die of AIDS is not to become infected with HIV; now, therefore;

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

Section 1. That the Council of the City of Cleveland recommends that the federal, state and local governments of the United States incorporate a prevention policy into all programs and grants that impact people with HIV/AIDS. Prevention should be incorporated into every education and health and human services program funded by all levels of government.

Section 2. That the Council urges the elimination of discrimination in housing against people living with HIV/AIDS. Cuyahoga Metropolitan Housing Authority and other low income housing agencies are encouraged to work with the AIDS Housing Council to offer vouchers and housing opportunities to people living with HIV/AIDS. Further, the City of Cleveland is urged to conduct a study to project the housing needs for people with HIV/AIDS in the next five years and to develop the capacity to meet that need; and that the addition of direct services, such as alcohol and substance addiction programs and intervention services, should be incorporated in the housing programs for people with HIV/AIDS.

Section 3. That the Council recommends that the State of Ohio Board of Education adopt a policy of health education for all students for at least one semester each year of education (K-12); that the types of courses taught reflect current, critical public health issues; that the students are taught basic living instruction from proper hygiene and nutrition to sex education and the prevention of communicable diseases such as Sexually Transmitted Disease (STDs) and HIV/AIDS.

Section 4. That the Council urges the Cuyahoga County Juvenile Court system to adopt a program to educate the youth that go through the system on basic living instruction from proper hygiene and nutrition to sex education and the prevention of communicable diseases such as Sexually Transmitted Disease (STDs) and HIV/AIDS. Further, all youth that utilize the Juvenile Court System in any capacity should be instructed through a mandatory HIV/AIDS prevention program.

Section 5. That the Council recommends that the State of Ohio mandate the reporting of HIV cases and that such reporting be standard throughout the state and should be consistent with the Federal guidelines set forth by the Centers for Disease Control. Reporting should be done in age brackets, modes of transmission and race and ethnicity categories consistent with the Federal guidelines set forth by the Centers for Disease Control.

Section 6. That the Council seek and encourage the representation of Council on committees that fund or review performances of agencies and HIV/AIDS service providers that provide services in the City of Cleveland.

Section 7. That the Council strongly recommends that all social service agencies funded by the City of Cleveland have at least one staff person who is trained in HIV/AIDS prevention and education.

Section 8. That the Council recommends and encourages the implementation within the City of a uniform reporting system to determine the effectiveness and efficiency of the City's overall goal to stop the spread of HIV/AIDS and urges the hiring of an independent evaluator to document and monitor this reporting system.

Section 9. That the Council urges that a review of all federal, state and local laws be done to determine whether there is any impediment to developing or creating an effective policy towards the eradication of the HIV/AIDS epidemic.

Section 10. That the Clerk of Council is hereby requested to transmit a copy of this resolution to the following: Donna Shalala, Secretary of Health and Human Services; Andrew Cuomo, Secretary of HUD; Senator-elect George Voinovich; Senator Mike DeWine; Governor-elect Robert Taft; Congressmen Louis Stokes, Dennis Kucinich, and Steve LaTourette; Congresswoman-elect Stephanie Tubbs-Jones; Cuyahoga County Commissioners Jane Campbell, Tim McCormick, and Tim Hagan; Cuyahoga County Commissioner-elect Jimmy Dimora; Mayor Michael White; Terri Hamilton, Director of CMHA; Robert Staib, Director of the City's Department of Public Health; and John Zachariah, Administrator, Juvenile Court.

Section 11. 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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 749-98.

By Councilman Cintron.

An emergency ordinance to vacate a portion of the first unnamed alley east of Columbus Road N.W., and a portion of Gould Court N.W. hereinafter described.

Whereas, on the 14th day of August, 1996 the Council of the City of Cleveland adopted Resolution No. 1049-96 declaring its intention to vacate a portion of The First Unnamed Alley East of Columbus Road N.W., and a portion of Gould Court N.W., hereinafter described.

Whereas, notice of the adoption of the above Resolution No. 1049-96 has been served upon the owners of all the property abutting The First

Unnamed Alley East of Columbus Road N.W., and a portion of Gould Court N.W. affected by said Resolution, notifying the said property owners of the time and place at which objections can be heard before the Board of Revision of Assessments, and

Whereas, on the 16th day of April, 1998, the Board of Revision of Assessments approved the vacation of The First Unnamed Alley East of Columbus Road N.W., and a portion of Gould Court N.W., hereinafter described, in accordance with the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating The First Unnamed Alley East of Columbus Road N.W., hereinafter described and that it will not be detrimental to the general interest and ought to be made; 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 all that portion of The First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), extending Northerly from the Northerly line of Moore Avenue N.W. (66 feet wide) to that portion of The First Unnamed Alley vacated by Ordinance No. 491-93, passed by Council of the City of Cleveland on May 3, 1993. AND a portion of Gould Court N.W. (16.5 feet wide) extending Easterly from the Easterly line of the First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), 70.00 feet to its intersection with the Southerly prolongation of the Easterly line of Sublot No. 133 in the Willeyville Allotment as recorded in Volume 2, Page 16 of Cuyahoga County Records, be and the same is hereby vacated.

Section 2. That there be and hereby is reserved to the City of Cleveland an easement for existing Division of Light and Power equipment. The description of easement is as follows:

That all that portion of The First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), extending Northerly from the Northerly line of Moore Avenue N.W. (66 feet wide) to that portion of The First Unnamed Alley vacated by Ordinance No. 491-93, passed by Council of the City of Cleveland on May 3, 1993. AND a portion of Gould Court N.W. (16.5 feet wide) extending Easterly from the Easterly line of the First Unnamed Alley East of Columbus Road N.W. (80.00 feet wide), 70.00 feet to its intersection with the Southerly prolongation of the Easterly line of Sublot No. 133 in the Willeyville Allotment as recorded in Volume 2, Page 16 of Cuyahoga County Records.

That no structures shall be hereafter erected on the premises described in this easement except those constructed in accordance with the approval of, and in compliance with, plans approved by the Commissioner of the Division of Light and Power, of the City of Cleveland.

Section 3. That the Clerk of Council be and she is hereby directed to notify the Auditor of Cuyahoga County of the vacation of all that portion of The First Unnamed Alley East of Columbus Road N.W., hereinafter provided by sending him a copy of this ordinance.

Section 4. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1136-98.

By Councilmen Jackson, Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Directors of Community Development and Public Health to expend Community Development Block Grant funds for AIDS related services.

Whereas, the City of Cleveland has received a Community Development Block Grant, Year XXIV, from the United States Government; 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 the Public Health and/or the Director of Community Development are hereby authorized and directed to expend Community Development Block Grant funds for AIDS related services with such expenditures to be made in accordance with the procedure as set forth below:

a. The Council's Subcommittee on HIV/AIDS ("Subcommittee") shall establish a Review Committee consisting of the Chairperson of the Public Health Committee, the Director of Community Development or her designee, the Director of Public Health or his designee, at least two advocates of HIV/AIDS issues and such additional members with knowledge in the area of HIV/AIDS as may be designated by the Subcommittee. The Review Committee shall issue Requests for Proposals (RFPs) to non-profit agencies and other professional organizations for the purpose of providing HIV/AIDS services to the residents of the City of Cleveland.

b. Following solicitation and review of the RFPs by the Review Committee, the Review Committee shall make a recommendation to the Subcommittee as to the agencies and level of funding.

c. The Subcommittee shall review the recommendation of the Review Committee and shall direct the Director of Public Health and/or the Director of Community Development, as determined by the Subcommittee, to enter into agreements with the agencies or organizations in accordance with the terms as recommended by the Review Committee.

Section 2. That, notwithstanding any other funds already provided by the City to the AIDS Funding Collaborative, the City shall provide a grant of Fifty Thousand Dollars (\$50,000.00) to the AIDS Funding Collaborative and shall have the Chairperson of the Committee of the Public Health Committee join the board of the AIDS Funding Collaborative.

Section 3. The Director of Public Health and/or the Director of Community Development, as determined by the Subcommittee, shall enter into an agreement with the College of Arts and Sciences of the Cleveland State University to ensure compliance with the terms of the agreements entered into pursuant to Section 1, and such additional duties as specified by the Subcommittee, with such

consultant to meet regularly with the Subcommittee. The cost of such contract shall not exceed Seventy-Five Thousand Dollars (\$75,000.00).

Section 4. The Director of Public Health and/or the Director of Community Development, as determined by the Subcommittee, shall enter into an agreement with the AIDS Task Force of Greater Cleveland to provide HIV/AIDS prevention training to staff members of social service agencies in Cleveland for the purpose of such staff to, in turn, train their clients and other individuals or entities in HIV/AIDS prevention. The cost of such contract shall not exceed Fifty Thousand Dollars (\$50,000.00).

Section 5. That said Director and the Director of Community Development are hereby authorized to enter into a memorandum of understanding for this program in accordance with the terms authorized by this legislation.

Section 6. That the cost of the contracts authorized by Section 1, 2, 3 and 4 shall be paid from Fund No. 14 SF 024 RL 23114 and shall be Nine Hundred Seventy Thousand Dollars (\$970,000.00).

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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1422-98.
By Councilmen Willis, Rybka and Johnson (by departmental request).
An emergency ordinance determining the method of making the public improvement of rehabilitating, renovating and constructing Highland Park Cemetery and Cleveland Memorial Gardens office and maintenance buildings, including entrance walls, masonry and landscaping, and authorizing the Director of Parks, Recreation and Properties to enter into contract for the making of such improvement; and authorizing said director to employ one or more architects, engineers, asbestos and roofing consultants necessary to implement the public 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 constructing a new maintenance building at Cleveland Memorial Gardens and the rehabilitation or renovation of the main office building located at Highland Park Cemetery, for the Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding for a gross price for the improvement.

Section 2. That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 982-98, passed July 29, 1998, the Director of Parks, Recreation and Properties is hereby authorized 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, pursuant to Section 167 of the Charter of the City of Cleveland, it is hereby determined to make the public improvement of entrance roads, landscaping and performing masonry services for the public improvement authorized in Section 1 of this ordinance at both Highland Park Cemetery and Cleveland Memorial Gardens for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

Section 4. That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 982-98, passed July 29, 1998, the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract for a gross price.

Section 5. That, provided the City of Cleveland sells the general obligation bonds authorized by Ordinance No. 982-98, passed July 29, 1998, the Director of Parks, Recreation and Properties is hereby authorized to employ by contract one or more architects, engineers, and asbestos and roofing consultants or one or more firms of architects, engineers, and asbestos and roofing consultants necessary to implement the public improvements authorized in Sections 2 and 4 above. The selection of said consultants for such services shall be made by the Board of Control upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified consultants available for such employment as may be determined after a full and complete canvass by the Director of Parks, Recreation and Properties for the purpose of compiling such a list. The compensation to be paid for such services shall be fixed by the Board of Control. The contract herein authorized shall be prepared by the Director of Law, approved by the Director of Parks, Recreation and Properties and certified by the Director of Finance.

Section 6. That the cost of said improvements and professional services authorized above shall be paid from Fund Nos. 20 SF 350, 20 SF 304 and 20 SF 193, and from the proceeds of the sale of general obligation bonds of the City of Cleveland authorized by Ordinance No. 982-98, passed July 29, 1998, Request No. 20568.

Section 7. The agreement or agreements shall provide for review by the City Planning Commission of any plans for the design of improvements to the property.

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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1815-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of computer hardware, software, and supplies, equipment, and data processing services, including parts and maintenance, to implement a computer network system and graphics production system for the Division of Recreation; authorizing said director to employ one or more computer consultants and data processors to provide professional services, including training, in conjunction with the project; and authorizing said director to enter into contract with Sierra Digital, Inc. for the license of the computer software known as RecWare.

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 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 computer hardware, software, and supplies, equipment, and data processing services, including parts and maintenance, as necessary to acquire and to implement a computer network system and graphics production system for the Division of Recreation, Department of Parks, Recreation and Properties, in the estimated sum of \$55,000, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than 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 21103)

Section 3. That the Director of Parks, Recreation and Properties is hereby authorized to employ by contract computer and/or data processing consultants or one or more firms of computer and/or data processing 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, including employee training, necessary to assist the Division of Recreation in developing, configuring, installing and implementing

a computer network system and graphic production system.

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

Section 4. That the costs for such services herein contemplated shall be paid from Fund No. 10 SF 039, Request No. 21103.

Section 5. That it is hereby determined that the specified product is non-competitive and cannot be obtained from any source other than Sierra Digital, Inc. Therefore, the Director of Parks, Recreation and Properties is hereby authorized and directed to enter into a written license agreement with said Sierra Digital, Inc. for the license of the computer software known as RecWare, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Parks, Recreation and Properties.

Section 6. That the cost of said agreement hereby authorized shall be paid from Fund No. 10 SF 039, Request No. 21103.

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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1939-98.
By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of manufacturing, printing, encoding, sorting, and mailing of income tax statements and returns, for the Division of Taxation, Department of Finance, for a period of two years.

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

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

Section 1. That the Director of Finance is hereby authorized 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 manufacturing, printing, encoding, sorting, and mailing of income tax statements and returns in the approximate amount as purchased during the preceding two-year period, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Taxation, Department of Finance. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any

combination of said items as the Board of Control shall determine. Alternate bids for a period less than a two year period may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire two year period.

Section 2. That the cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchaser 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 21208)

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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 1956-98.
By Councilmen Willis and Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of various plumbing and heating equipment and supplies, including related materials and supplies, for the Division of Property Management, Department of Parks, Recreation and Properties, for a period not to exceed three 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 Parks, Recreation and Properties is hereby authorized 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 three years for the necessary items of various plumbing and heating equipment and supplies, including related maintenance materials and supplies in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Property Management, Department of Parks, Recreation and Properties. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by separate contract for each or any combination of said items as the Board of Control shall determine. Alternate bids for a period less than three (3) years may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. The cost of said contract shall not exceed \$210,000 and 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 21709)

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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2020-98.

By Councilman Cimperman.
An emergency ordinance consenting to and approving the issuance of a permit for the Turkey Trot Race on November 26, 1998, sponsored by Hermes Race Systems.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Turkey Trot Race, sponsored by Hermes Race Systems, on November 26, 1998, beginning with a 1 mile fun walk starting inside Burke Lakefront Airport Driveway, exits the entrance driveway and proceeds eastbound on the North Marginal to just before the curve and turns around to go westbound on the North Marginal where it re-enters where it came out. The 5K run steps off from airport driveway and leaves through the entrance drive proceeding westbound on the North Marginal down Erieside around the stadium, southbound on W. 3rd Rd. to Lakeside, westbound on Lakeside down under the bridge to W. 9th where it turns onto Front Street and goes to W. 10th, turning southbound to St. Clair, runners turn up the St. Clair hill and proceed eastbound on St. Clair to W. 3rd where they turn northbound onto W. 3rd and go to Lakeside where they turn eastbound and go down Lakeside to E. 9th, runners turn northbound onto E. 9th, staying in the west curb lane and go to the exit ramp of 90 where they go down the exit ramp (curb lane-connected) and wrap around the Amtrak Station and then proceed eastbound on to the South Marginal. At E. 26th, they cross over the freeway and then proceed westbound onto the North Marginal where they finish inside the Airport, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed November 16, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2044-98.**By Councilman Johnson (by departmental request).****An emergency ordinance to make temporary appropriation for the current payrolls and other ordinary expenses of the City of Cleveland for the period from January 1, 1999 until the effective date of the annual appropriation ordinance for the fiscal year ending December 31, 1999.**

Whereas, it is desired to postpone the passage of the annual appropriation ordinance until an amended certificate is received, based on the actual balances as the same may be determined by the Director of Finance and the County Budget Commission: 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 provide for the current payrolls, sinking fund and other ordinary expenses of the City of Cleveland for the period from January 1, 1999, until the effective date of the Annual Appropriation Ordinance for the fiscal year ending December 31, 1999, there be and there is hereby appropriated for the period from January 1, 1999, to the effective date of the Annual Appropriation Three hundred eighty two million two hundred nine thousand five hundred twenty eight dollars (\$382,209,528) out of taxes due the City of Cleveland and any other revenues accrued or occurring during said period of time and said funds are respectively appropriated as follows:

GENERAL FUND

LEGISLATIVE BRANCH

COUNCIL AND CLERK OF COUNCIL		\$1,309,544
I. Personnel and Related Expenses	\$845,484	
II. Other Expenses	464,060	

TOTAL LEGISLATIVE BRANCH	\$1,309,544	\$1,309,544
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MUNICIPAL COURT

JUDICIAL DIVISION		\$5,091,658
I. Personnel and Related Expenses	\$3,967,273	
II. Other Expenses	1,124,384	

CLERK'S DIVISION		\$3,479,650
I. Personnel and Related Expenses	2,200,022	
II. Other Expenses	1,279,628	

HOUSING DIVISION		\$533,798
I. Personnel and Related Expenses	\$500,562	
II. Other Expenses	33,236	

TOTAL MUNICIPAL COURT	\$9,105,105	\$9,105,105
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EXECUTIVE BRANCH

OFFICE OF THE MAYOR		\$489,013
I. Personnel and Related Expenses	\$389,240	
II. Other Expenses	99,773	

TOTAL EXECUTIVE BRANCH	\$489,013	\$489,013
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DEPARTMENT OF PUBLIC SAFETY

PUBLIC SAFETY ADMINISTRATION		\$3,502,256
I. Personnel and Related Expenses	\$3,160,623	
II. Other Expenses	341,633	

DIVISION OF POLICE		\$54,561,817
I. Personnel and Related Expenses	\$49,537,032	
II. Other Expenses	5,024,785	

DIVISION OF FIRE		\$24,906,737
I. Personnel and Related Expenses	\$23,302,327	
II. Other Expenses	1,604,410	

DIVISION OF EMERGENCY MEDICAL SERVICES		\$5,670,588
I. Personnel and Related Expenses	\$5,130,515	
II. Other Expenses	540,073	

DIVISION OF TRAFFIC ENGINEERING		\$1,589,776
I. Personnel and Related Expenses	\$913,763	
II. Other Expenses	676,012	

DIVISION OF DOG POUND		\$311,682
I. Personnel and Related Expenses	\$202,072	
II. Other Expenses	109,610	

TOTAL DEPARTMENT OF PUBLIC SAFETY	\$90,542,857	\$90,542,857
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COMMUNITY RELATIONS BOARD		
COMMUNITY RELATIONS BOARD		\$312,306
I. Personnel and Related Expenses	\$282,935	
II. Other Expenses	29,370	
TOTAL COMMUNITY RELATIONS BOARD	\$312,306	\$312,306
DEPARTMENT OF PUBLIC SERVICE		
PUBLIC SERVICE ADMINISTRATION		\$121,198
I. Personnel and Related Expenses	\$112,481	
II. Other Expenses	8,717	
DIVISION OF ARCHITECTURE		\$180,971
I. Personnel and Related Expenses	\$160,742	
II. Other Expenses	20,229	
DIVISION OF WASTE COLLECTION & DISPOSAL		\$11,080,676
I. Personnel and Related Expenses	\$6,462,323	
II. Other Expenses	4,618,353	
DIVISION OF ENGINEERING AND CONSTRUCTION		\$1,751,923
I. Personnel and Related Expenses	\$1,544,540	
II. Other Expenses	207,383	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$13,134,767	\$13,134,767
DEPARTMENT OF PARKS, RECREATION AND PROPERTIES		
PARKS, RECREATION AND PROPERTIES ADMINISTRATION		\$207,109
I. Personnel and Related Expenses	\$185,215	
II. Other Expenses	21,894	
DIVISION OF RESEARCH, PLANNING & DEVELOPMENT		\$205,964
I. Personnel and Related Expenses	\$164,528	
II. Other Expenses	41,436	
DIVISION OF RECREATION		\$3,224,911
I. Personnel and Related Expenses	\$2,124,599	
II. Other Expenses	1,100,312	
DIVISION OF PARKING FACILITIES - ON STREET		\$367,417
I. Personnel and Related Expenses	\$264,006	
II. Other Expenses	103,412	
DIVISION OF PROPERTY MANAGEMENT		\$3,977,223
I. Personnel and Related Expenses	\$2,808,460	
II. Other Expenses	1,168,763	
DIVISION OF PARK MAINTENANCE & PROPERTIES		\$3,495,491
I. Personnel and Related Expenses	\$2,522,916	
II. Other Expenses	972,574	
TOTAL DEPARTMENT OF PARKS, RECREATION & PROPERTIES	\$11,478,114	\$11,478,114
BOXING AND WRESTLING COMMISSION		
BOXING AND WRESTLING COMMISSION		\$2,581
I. Personnel and Related Expenses	\$2,581	
II. Other Expenses	—	
TOTAL BOXING AND WRESTLING COMMISSION	\$2,581	\$2,581
URBAN PLANNING AND DEVELOPMENT		
DEPARTMENT OF COMMUNITY DEVELOPMENT		
DIRECTOR'S OFFICE		\$34,445
I. Personnel and Related Expenses	\$34,445	
DIVISION OF ADMINISTRATIVE SERVICES		\$31,522
I. Personnel and Related Expenses	\$31,522	

DIVISION OF BUILDING & HOUSING		\$2,563,617
I. Personnel and Related Expenses	\$2,262,411	
II. Other Expenses	301,207	
DIVISION OF NEIGHBORHOOD SERVICES		\$26,237
I. Personnel and Related Expenses	\$26,237	
DIVISION OF NEIGHBORHOOD DEVELOPMENT		\$184,709
I. Personnel and Related Expenses	\$87,805	
II. Other Expenses	96,904	
TOTAL DEPARTMENT OF COMMUNITY DEVELOPMENT	\$2,840,530	\$2,840,530
REGULATORY BOARDS & COMMISSIONS		
LANDMARKS COMMISSION		\$35,599
I. Personnel and Related Expenses	\$29,760	
II. Other Expenses	5,839	
BOARD OF BUILDING STANDARDS & APPEALS		\$42,943
I. Personnel and Related Expenses	\$38,800	
II. Other Expenses	4,143	
BOARD OF ZONING APPEALS		\$87,140
I. Personnel and Related Expenses	\$80,464	
II. Other Expenses	6,676	
BOARD OF EXAMINERS OF PLUMBERS AND ELECTRICIANS		\$38,453
I. Personnel and Related Expenses	\$36,803	
II. Other Expenses	1,650	
FAIR CAMPAIGN FINANCE COMMISSION		\$5,911
II. Other Expenses	\$5,911	
TOTAL REGULATORY BOARDS	\$210,046	\$210,046
DEPARTMENT OF ECONOMIC DEVELOPMENT		
ECONOMIC DEVELOPMENT ADMINISTRATION		\$441,124
I. Personnel and Related Expenses	\$408,763	
II. Other Expenses	32,361	
OFFICE OF EQUAL OPPORTUNITY		\$315,712
I. Personnel and Related Expenses	\$239,559	
II. Other Expenses	76,153	
CITY PLANNING COMMISSION		\$501,969
I. Personnel and Related Expenses	\$480,658	
II. Other Expenses	21,311	
PORT CONTROL-HARBOR DEVELOPMENT		\$20,459
I. Personnel and Related Expenses	\$20,459	
II. Other Expenses	—	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$1,279,264	\$1,279,264
DEPARTMENT OF PUBLIC HEALTH		
HEALTH ADMINISTRATION		\$107,831
I. Personnel and Related Expenses	\$44,251	
II. Other Expenses	63,579	
DIVISION OF CORRECTION		\$2,523,639
I. Personnel and Related Expenses	\$1,836,334	
II. Other Expenses	687,304	
DIVISION OF HEALTH		\$1,134,153
I. Personnel and Related Expenses	\$812,189	
II. Other Expenses	321,964	
DIVISION OF ENVIRONMENT		\$744,538
I. Personnel and Related Expenses	\$638,600	
II. Other Expenses	105,938	
TOTAL DEPARTMENT OF PUBLIC HEALTH	\$4,510,160	\$4,510,160

DEPARTMENT OF AGING		
DEPARTMENT OF AGING		\$94,009
I. Personnel and Related Expenses	\$75,269	
II. Other Expenses	18,740	
TOTAL DEPARTMENT OF AGING	\$94,009	\$94,009
SUPPORT FUNCTIONS		
FINANCIAL AND LEGAL ADMINISTRATION		
DEPARTMENT OF FINANCE		
FINANCE ADMINISTRATION		\$134,585
I. Personnel and Related Expenses	\$114,962	
II. Other Expenses	19,624	
DIVISION OF ACCOUNTS		\$596,442
I. Personnel and Related Expenses	\$241,437	
II. Other Expenses	355,005	
DIVISION OF ASSESSMENTS & LICENSES		\$345,923
I. Personnel and Related Expenses	\$266,387	
II. Other Expenses	79,536	
DIVISION OF TREASURY		\$128,689
I. Personnel and Related Expenses	\$104,632	
II. Other Expenses	24,057	
DIVISION OF PURCHASES & SUPPLIES		\$213,966
I. Personnel and Related Expenses	\$170,464	
II. Other Expenses	43,502	
BUREAU OF INTERNAL AUDIT		\$256,027
I. Personnel and Related Expenses	\$61,135	
II. Other Expenses	194,891	
DIVISION OF FINANCIAL REPORTING AND CONTROL		\$337,103
I. Personnel and Related Expenses	\$289,130	
II. Other Expenses	47,973	
TOTAL DEPARTMENT OF FINANCE	\$2,012,736	\$2,012,736
OFFICE OF BUDGET & MANAGEMENT-BUDGET ADMIN.		\$154,556
I. Personnel and Related Expenses	\$126,579	
II. Other Expenses	27,977	
LAW		\$2,609,365
I. Personnel and Related Expenses	\$1,535,826	
II. Other Expenses	1,073,539	
TOTAL FINANCIAL AND LEGAL ADMINISTRATION	\$4,776,656	\$4,776,656
PERSONNEL ADMINISTRATION		
OFFICE OF PERSONNEL		\$948,722
I. Personnel and Related Expenses	\$392,754	
II. Other Expenses	555,968	
CIVIL SERVICE COMMISSION		\$748,462
I. Personnel and Related Expenses	\$248,545	
II. Other Expenses	499,917	
TOTAL PERSONNEL ADMINISTRATION	\$1,697,184	\$1,697,184
NON DEPARTMENTAL		
TRANSFERS TO OTHER FUNDS		\$8,378,000
II. Other Expenses	\$8,378,000	
OTHER ADMINISTRATIVE		\$8,323,830
II. Other Expenses	\$8,323,830	
TOTAL NON DEPARTMENTAL	\$16,701,830	\$16,701,830
TOTAL SUPPORT FUNCTIONS	\$23,175,670	\$23,175,670
TOTAL GENERAL FUND	\$158,483,968	\$158,483,968

SPECIAL REVENUE FUND		
RESTRICTED INCOME TAX FUND		\$29,039,144
I. Capital	\$17,039,144	
II. Debt Service	12,000,000	
SCHOOLS RECREATION & CULTURAL ACTIVITIES		\$2,000,000
II. Other Expenses	2,000,000	
STREET CONSTRUCTION, MAINTENANCE & REPAIR		\$13,122,924
I. Personnel and Related Expenses	\$5,446,812	
II. Other Expenses	7,676,112	
TOTAL SPECIAL REVENUE FUNDS	\$44,162,068	\$44,162,068
INTERNAL SERVICE FUNDS		
INFORMATION SYSTEMS SERVICES-TELECOMMUNICATIONS		\$1,699,134
I. Personnel and Related Expenses	\$113,796	
II. Other Expenses	1,585,338	
INFORMATION SYSTEMS SERVICES		\$1,274,433
I. Personnel and Related Expenses	\$496,924	
II. Other Expenses	777,509	
DIVISION OF MOTOR VEHICLE MAINTENANCE		7,366,193
I. Personnel and Related Expenses	\$1,761,193	
II. Other Expenses	5,605,000	
DIVISION OF PRINTING AND REPRODUCTION		\$530,970
I. Personnel and Related Expenses	\$197,206	
II. Other Expenses	333,764	
CITY STOREROOM AND CENTRAL WAREHOUSE		\$461,870
I. Personnel and Related Expenses	\$33,987	
II. Other Expenses	427,883	
TOTAL INTERNAL SERVICE FUNDS	\$11,332,600	\$11,332,600
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC UTILITIES		
UTILITIES ADMINISTRATION		\$446,879
I. Personnel and Related Expenses	\$279,254	
II. Other Expenses	167,624	
DIVISION OF FISCAL CONTROL		533,641
I. Personnel and Related Expenses	\$489,752	
II. Other Expenses	43,888	
DIVISION OF RADIO		\$1,032,317
I. Personnel and Related Expenses	\$32,170	
II. Other Expenses	1,000,147	
DIVISION OF WATER		\$75,821,153
I. Personnel and Related Expenses	\$22,171,949	
II. Other Expenses	53,649,204	
DIVISION OF WATER POLLUTION CONTROL		\$7,877,267
I. Personnel and Related Expenses	\$2,676,580	
II. Other Expenses	5,200,687	
DIVISION OF CLEVELAND PUBLIC POWER		\$37,264,192
I. Personnel and Related Expenses	\$8,134,163	
II. Other Expenses	29,130,029	
TOTAL DEPARTMENT OF PUBLIC UTILITIES	\$121,943,132	\$121,943,132

DEPARTMENT OF PORT CONTROL

AIRPORTS-OPERATIONS		\$26,827,474
I. Personnel and Related Expenses	\$6,552,834	
II. Other Expenses	20,274,639	
AIRPORT-DEVELOPMENT		\$7,059
II. Other Expenses	\$7,059	
TOTAL DEPARTMENT OF PORT CONTROL	\$26,834,532	\$26,834,532

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

DIVISION OF CEMETERIES		\$665,108
I. Personnel and Related Expenses	\$445,213	
II. Other Expenses	219,895	
GOLF COURSE FUND		\$707,084
I. Personnel and Related Expenses	\$224,159	
II. Other Expenses	482,924	
DIVISION OF PARKING FACILITIES-OFF STREET		\$4,738,822
I. Personnel and Related Expenses	\$240,104	
II. Other Expenses	4,498,718	
CONVENTION CENTER & STADIUM-CONVENTION CENTER		\$2,284,841
I. Personnel and Related Expenses	\$823,420	
II. Other Expenses	1,461,421	
CONVENTION CENTER & STADIUM-MARKET		\$407,993
I. Personnel and Related Expenses	\$118,640	
II. Other Expenses	289,353	
PROPERTY MANAGEMENT-EAST SIDE MARKET		\$81,710
I. Personnel and Related Expenses	\$24,685	
II. Other Expenses	57,025	
TOTAL PARKS, RECREATION & PROPERTIES	\$8,885,559	\$8,885,559
TOTAL ENTERPRISE FUNDS	\$157,663,223	\$157,663,223

AGENCY FUND

CENTRAL COLLECTION AGENCY		\$1,811,032
I. Personnel and Related Expenses	\$1,101,260	
II. Other Expenses	709,771	
TOTAL AGENCY FUND	\$1,811,032	\$1,811,032

DEBT SERVICE FUND

SINKING FUND COMMISSION		\$8,306,638
I. Personnel and Related Expenses	\$45,018	
II. Other Expenses	61,619	
III. Debt Service	8,200,000	
STADIUM FUND		\$450,000
I. Debt Service	\$450,000	
TOTAL DEBT SERVICE FUND	\$8,756,638	\$8,756,638
TOTAL OTHER FUNDS	\$214,968,923	\$214,968,923
TOTAL GENERAL FUND	\$158,483,968	\$158,483,968
TOTAL GENERAL AND OTHER FUNDS	\$382,209,528	\$382,209,528

Section 2. That expenditures and payments made under and pursuant to the ordinance appropriating such sum or sums of money shall be charged against the Annual Appropriation Ordinance shall become effective, and to the various departments and divisions in payments or whose officers and employees and operating expenses such sum or sums of money hereunder shall then have been made under the authority of this ordinance after the effective date of said Annual Appropriation Ordinance for the fiscal year ending December 31, 1999.

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 December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2046-98.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums herein set forth opposite the names of the claimants.

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 pay as Moral Claims the sums set forth opposite and names of the following claimants and charged against the fund numbers opposite the names of the claimants:

Claimant	Claim No.	Amount	Division	Fund
James Williams, Jr.	10473	\$1,100.00	Water Pollution Control	54 SF 001
Evadney Taylor	10526	250.00	Water Pollution Control	54 SF 001
Anna Pak	10530	1,500.00	Water Pollution Control	54 SF 001
Craig G. Taylor	10534	553.00	Water Pollution Control	54 SF 001
Ratko Krncevic	10536	1,500.00	Water Pollution Control	54 SF 001
Douglas Miroslaw	10583	145.00	Water Pollution Control	54 SF 001
Ronald A. Spencer	10585	583.94	Water Pollution Control	54 SF 001
Alice M. Thow	10595	400.00	Water Pollution Control	54 SF 001
Edmund Karecki	10603	1,500.00	Water Pollution Control	54 SF 001
Ann Demin	10531	400.00	Police	01-60-02-0720
Alissa Wallace	10539	2,775.00	Police	01-60-02-0720
Luis Martinez	10545	250.00	Police	01-60-02-0720
James Thompkins	10547	396.00	Police	01-60-02-0720
James Miller	10551	264.45	Police	01-60-02-0720
Moorish National Cultural Club	10569	142.00	Police	01-60-02-0720
Michael Williams	10571	20.00	Police	01-60-02-0720
Trolley Tours of Cleveland	10609	2,158.10	Police	01-60-02-0720
Thanh Vantran	10610	114.00	Police	01-60-02-0720
Billy Gaskins	10611	184.04	Police	01-60-02-0720
LTVSteel	10622A	1,256.18	Police	01-60-02-0720
Michael Camera	10622B	1,000.00	Police	01-60-02-0720
Linda Martino	10550	340.72	Fire	01-60-03-0720
Francis Cramer	10620	300.00	Fire	01-60-03-0720
Michelle Hadam	10534	144.31	Emergency Medical Service	01-60-04-0720
Michael Grassi	10602	422.65	Emergency Medical Service	01-60-04-0720
James Andrews	10549	470.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Paul O. Scholz	10565	600.00	Park Maintenance (Urban Forestry)	01-70-02-0720
Angel and Esther Melendez	10533	187.71	Park Maintenance and Properties	01-70-10-0720

John West, Jr.	10534	220.00	Park Maintenance and Properties	01-70-10-0720
Ann Carla Jones	10558	650.00	Park Maintenance and Properties	01-70-10-0720
Clinton Clement	10559	342.92	Park Maintenance and Properties	01-70-10-0720
Gene A. Jones	10562	144.50	Park Maintenance and Properties	01-70-10-0720
Shirley Hayes	10572	300.00	Park Maintenance and Properties	01-70-10-0720
Evelyn Robinson	10588	244.00	Park Maintenance and Properties	01-70-10-0720
Mattie Blackmon	10594	228.29	Park Maintenance and Properties	01-70-10-0720
Margaret Foxworth	10604	50.00	Park Maintenance and Properties	01-70-10-0720
Michael Rinkus	10613	171.20	Park Maintenance and Properties	01-70-10-0720
Jeffrey E. Jones	10615	250.00	Park Maintenance and Properties	01-70-10-0720
Chris & Romona Bennett	10619	136.75	Park Maintenance and Properties	01-70-10-0720
E. Eloise Douglass Bailey	10605	185.00	Park Maintenance (Highland Park)	62 SF 001
Valarie Bryant	10515	120.00	Streets	10 SF401
Peter Zurowski	10582	261.58	Streets	10 SF401
Ismael Burdos	10625	176.19	Streets	10 SF401
Robert Zak	10546	144.00	Waste Collection	01-40-03-0720
Eugene Jackson	10601	100.00	Waste Collection	01-40-03-0720
Dan Barr	10570	25.00	Cleveland Hopkins Airport	60 SF 001

Section 2. That the authority of the Director of Finance to pay the amounts set forth in Section 1 of this ordinance is conditioned upon a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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 December 7, 1998.

Effective December 15, 1998.

Ord. No. 2116-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the International Union of Operating Engineers Local 10; and amending Section 10 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the International Union of Operating Engineers Local 10; which contains the terms set forth in File No. 2116-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 10 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

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:

	Minimum	Maximum
1. Assistant Superintendent of Distribution	\$29,828.64	\$35,722.19
2. Chief Meter Reader	26,776.62	32,150.35
3. Chief Radio Dispatcher-Water	30,533.44	36,570.42
4. Data Conversion Supervisor	24,070.17	28,982.98
5. Engineer of Hydraulic Surveys	37,550.06	45,240.87
6. Meter Reader Supervisor	29,215.14	35,848.07
7. Sewer Construction Unit Leader	31,650.11	37,853.88
8. Sewer Maintenance Unit Leader	23,962.24	32,767.29
9. Sewer Maintenance Unit Leader Operator	28,605.94	34,291.23
10. Supervisor of Radio Service	30,553.44	38,667.88
11. Unit Supervisor	26,835.06	36,232.10
12. Water Hydraulic Unit Leader	28,446.57	34,586.96
13. Water Hydraulic Supervisor	32,237.05	39,029.49
14. Water Meter Department Unit Leader	28,446.55	34,586.96
15. Water Meter Department Supervisor	32,237.05	39,029.49
16. Water Pipe Repair Unit Leader.....	28,446.57	35,430.83
17. Water Pipe Repair Supervisor	32,242.61	39,873.36

Section 3. That existing Section 10 of Ordinance No. 436-97, passed April 14, 1997, is hereby repealed.

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2117-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Operating Engineers Local 188; and amending Section 11 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the Operating Engineers Local 188, which contains the terms set forth in File No. 2117-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 11 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

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:

	Minimum	Maximum
1. Building Stationary Engineer	\$10.14 per hour	\$15.14 per hour
2. Chief Building Stationary Engineer	\$12.37 per hour	\$16.18 per hour
3. Chief Stationary Engineer	\$ 9.18 per hour	\$17.69 per hour
4. First Assistant Stationary Engineer	\$12.15 per hour	\$16.11 per hour
5. Purification Plant Operator I	\$ 9.43 per hour	\$12.33 per hour
6. Purification Plant Operator II	\$10.83 per hour	\$14.04 per hour
7. Purification Plant Operator III	\$11.36 per hour	\$14.67 per hour
8. Second Assistant Stationary Engineer	\$10.83 per hour	\$15.04 per hour
9. Stationary Boiler Room Operator	\$12.29 per hour	\$15.70 per hour
10. Water Plant Operator I	\$14.73 per hour	\$16.58 per hour
11. Water Plant Operator II	\$16.63 per hour	\$17.76 per hour

Section 3. That existing Section 11 of Ordinance No. 436-97, passed April 14, 1997, is hereby repealed.

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2118-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Machinists Local 439; and amending Section 15 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the Machinists Local 439, which contains the terms set forth in File No. 2118-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 15 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

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:

	Minimum	Maximum
1. Machinist	\$14.35 per hour	\$16.85 per hour
2. Machinist Unit Leader	\$13.86 per hour	\$19.07 per hour
3. Machinist Helper	\$12.43 per hour	\$14.22 per hour

Section 3. That existing Section 15 of Ordinance No. 436-97, passed April 14, 1997, is hereby repealed.

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2119-98.

By Councilman Johnson (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Fraternal Order of Police; and amending Section 44 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.

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

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

Section 1. That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with the Fraternal Order of Police, which contains the terms set forth in File No. 2119-98-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

Section 2. That Section 44 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

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:

	Minimum	Maximum
1. Commander of Police	\$71,038.00	\$73,684.14
2. Deputy Inspector	71,038.00	73,684.14
3. Captain	61,170.00	63,520.10
4. Lieutenant	52,664.00	54,758.92
5. Sergeant	45,331.00	47,205.93

Section 3. That existing Section 44 of Ordinance No. 436-97, passed April 14, 1997, is hereby repealed.

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2120-98.
By Councilman Cimperman.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Tremont West Development Corporation to hang approximately thirty-eight (38) Christmas Wreaths on utility poles (by separate permission), on W. 14th St., Auburn, Rowley, Holmden, Scranton, Barber, Starkweather, W. 10th St., Jefferson, Kenilworth, Literary, Fairfield, Professor, Clark, Branch Ct., Mentor, Valentine, Brainard and Castle for the period of Nov. 27, 1998 to Jan. 9, 1999, inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Tremont West Development Corporation, to install, maintain and remove approximately thirty-eight (38) Christmas Wreaths on utility poles (by separate permission), as follows: Cleveland Electric Illuminating Company poles located at West 14th at Auburn, #13550; West 14th at Rowley, #14200; West 14th at Holmden, #14221; Scranton at Starkweather, #514137; Scranton at Barber, #512965; and Cleveland Public Power poles located at West 10th St.: NE corner of Jefferson, #46259; SE corner of Kenilworth, #46115; SW Corner of Kenilworth, #46184; NE corner of Literary, #47915; NW corner of Fairfield, #47911; Kenilworth Ave. at W. 14th (S), #46147; West 11th St. at NW corner of Starkweather, #HOM-1-A-11; NW corner of Kenilworth; at Literary (E), #46192; SE corner of Fairfield, #46136; NE corner of Starkweather, #46214; SE corner of Kenilworth, #46121; Professor Ave.: SW corner of Literary, #47921; West 14th: S. of Fairfield, #HOM-1-18; NE corner of Clark, #44642; NE Corner of Branch Ct., #44539; SE corner of Auburn, #44536; NE corner of Mentor 44668; at Rowley (W), #44780;

West 14th; at Holmden (W), #44710; at Starkweather (E), #HOM-1A-1 ; at Starkweather (W), #HOM-1-32; at Starkweather (S), #HOM-1-7; at Kenilworth (W), #HOM-1-29; Scranton Road: SW corner of Starkweather, #44421; SE corner of Auburn, #44413; 3rd pole N. of Mentor (E), #44519; NE corner of Clark, #428134; NE corner of Valentine, #40681; Scranton Rd.: SE corner of Brainard, #40609; NE corner of Holmden, #42814; at Castle, #42760; for the period from November 27, 1998 to January 9, 1999, inclusive, publicizing the Christmas Season. Said wreaths shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a wreath will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said wreaths and said wreaths shall be removed promptly upon the expiration of said permit.

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2121-98.
By Councilman Melena.
An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Stockyard Redevelopment Organization to use Cleveland Public Power utility poles for the purpose of installing an outlet for holiday decorations at West 65th Street and Walworth Avenue for the period of November 28, 1998 to January 15, 1999, inclusive.

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

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

Section 1. That notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of Public Service is hereby authorized and directed to issue a permit to Stockyard Redevelopment Organization, to install, maintain and remove an electrical outlet by using Cleveland Public Power poles (by separate permission) for the installation of holiday decorations at West 65th Street and Walworth Avenue; the first pole from the intersection of West 65th Street and Walworth Avenue going East; pole number AO-19-113; for the period from November 28, 1998 to January 15, 1999, inclusive, publicizing the Christmas Season. Said outlets shall be approved by the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said holiday decorations and said decorations shall be removed promptly upon the expiration of said permit.

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2122-98.
By Councilman Johnson (by departmental request).

An emergency ordinance to amend Sections 2, 3, 4, 5, 6, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 42, 43, 46 and 47 of Ordinance No. 436-97, passed April 14, 1997, as amended by various ordinances, relating to compensation for various classifications.

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

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

Section 1. That the following Sections of Ordinance No. 436-97, passed April 14, 1997:

Sections 2 and 3,

Section 4, as amended by Ordinance No. 1474-97, passed October 13, 1997, and

Sections 5, 6, 25, 26,

Section 27, as amended by Ordinance No. 1698-98, passed September 21, 1998,

Sections 28 and 29,

Section 30, as amended by Ordinance No. 1474-97, passed October 13, 1997,

Section 31,

Section 32, as amended by Ordinance No. 1474-97, passed October 13, 1997, and

Sections 33, 34, 35, 36, 37, 38, and 39,

Section 40, as amended by Ordinance No. 1693-98, passed September 21, 1998, and Ordinance No. 1474-97, passed October 13, 1997, and

Sections 42, 43, 46 and 47,

are hereby amended to read, respectively, as follows:

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 shall be fixed by the Mayor at not less than \$49,078.05 and not more than \$144,754.05 per annum.

(b) That the salary of the the Directors of Law, Finance, Public Utilities, Port Control, Economic Development, Public Safety, Parks, Recreation and Properties, Public Service, Public Health, Personnel and Human Resources, Community Development, Aging, the Planning Director, and the Executive Director of the Community Relations Board 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 \$139,534.46 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 \$87,359.25 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	\$54,636.35
2. Chief of Consumer Affairs.....	17,593.45	60,099.98
3. Chief Deputy Clerk — Administration.....	17,593.45	65,563.62
4. Chief Deputy Clerk — Finance/Operations.....	17,593.45	65,563.62
5. Chief Legislative Secretary.....	17,593.45	54,636.35
6. Clerk's Deputy Assistant.....	17,593.45	54,636.35
7. Clerk's Assistant.....	\$14.65 per hour	\$17.15 per hour
8. Councilmanic Assistants (Part-Time).....	\$5.77 per hour	\$11.77 per hour
9. Council Receptionist.....	15,000.00	32,781.81
10. Director of Communications.....	20,108.26	60,099.98
11. First Assistant Clerk.....	20,109.43	54,636.35
12. Fiscal Officer.....	\$24.98 per hour	\$40.40 per hour
13. Fiscal Secretary.....	15,000.00	51,800.71
14. Information Systems Coordinator.....	17,593.00	65,563.62
15. Information Systems Manager.....	17,593.00	59,660.70
16. Legislative Assistants.....	15,000.00	43,709.08
17. Legislative Assistant/Administrative Secretary.....	15,000.00	51,800.71
18. Legislative Secretary.....	15,000.00	43,709.08
19. Office Administrator — Staff Director.....	17,593.45	65,563.62
20. Research Assistant.....	17,593.00	65,563.62
21. Research Director.....	17,593.00	65,563.62
22. Sergeant-at-Arms.....	10,712.00	30,055.08

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:

	Minimum	Maximum
1. Four Executive Assistants to the Mayor.....	\$35,410.47	\$117,482.20
2. Special Assistant to the Mayor.....	20,410.00	74,951.45
3. Secretary to Directors of Departments.....	36,590.39	99,248.38
4. Secretary of the Civil Service Commission.....	25,011.85	62,455.84

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:

CIVIL BRANCH		Minimum	Maximum
1.	Chief Counsel.....	\$36,750.00	\$109,744.16
2.	Chief Assistant Director of Law.....	31,500.00	85,247.95
3.	Assistant Director of Law I.....	26,250.00	61,602.20
4.	Assistant Director of Law I(s).....	26,250.00	64,552.17
5.	Assistant Director of Law II.....	31,500.00	69,534.13
6.	Assistant Director of Law II(s).....	31,500.00	73,259.39
CRIMINAL BRANCH			
1.	Chief Assistant Prosecutor.....	36,750.00	97,964.95
2.	First Assistant Prosecutor.....	31,500.00	77,137.92
3.	Assistant Prosecutor.....	23,100.00	61,230.70

Section 25. 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:

	Minimum	Maximum
1. Budget Analyst	\$16,760.96	\$40,439.12
2. Buyer	17,705.24	38,265.54
3. Civil Service Examiner I	12,983.84	30,030.76
4. Civil Service Examiner II	15,344.54	34,503.31
5. Civil Service Examiner III	18,885.58	38,265.54
6. Civil Service Examiner IV	23,606.98	47,489.48
7. Court Stenographer	15,344.54	32,146.94

8.	Docket Clerk	16,043.58	28,679.20
9.	Junior Personnel Assistant	12,983.84	30,030.78
10.	Law Librarian	16,524.89	30,991.95
11.	Legal Secretary	17,189.55	31,410.17
12.	Office Manager	14,700.00	30,794.79
13.	Parking Enforcement Analyst	18,385.50	35,185.10
14.	Paralegal	16,043.58	34,503.43
15.	Personnel Assistant	16,524.89	34,503.43
16.	Private Secretary to Director	15,344.54	36,273.02
17.	Scientific Examiner	22,575.00	44,884.01
18.	Senior Personnel Assistant	17,705.24	38,265.54
19.	Tape Librarian	14,164.19	32,928.85

Section 26. 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:

	Minimum	Maximum
1. Administrative Officer	\$17,705.24	\$40,415.94
2. Cable Protection Specialist	18,529.41	30,428.07
3. Case Worker Supervisor	20,065.93	34,503.43
4. Chief Air Pollution Inspector	20,065.93	40,415.94
5. Chief Caseworker Supervisor	22,426.64	36,273.02
6. Chief Clerk	22,050.00	36,273.02
7. Chief Photographer	20,065.93	40,415.94
8. Chief Radio Dispatcher	25,377.50	36,531.85
9. Chief Telephone Operator	17,611.99	38,173.69
10. Cocaine Treatment Supervisor.....	22,426.64	36,273.02
11. Composing Supervisor	20,065.93	34,503.43
12. Consumer Protection Supervisor	18,885.58	36,273.02
13. Custodial Worker Supervisor	17,705.24	32,239.11
14. Personnel Analyst I	21,000.00	37,312.49
15. Secretary to Board of Examiner of Plumbers Board of Review (Electrical)	18,885.58	31,410.17
16. Secretary - Boxing and Wrestling Commission	18,885.58	28,679.20
17. Superintendent of Maintenance	23,606.98	45,180.50
18. Superintendent of Street Cleaning	25,967.68	36,858.25
19. Superintendent of Waste Collection	29,508.73	45,180.50
20. Supervisor of Income Tax Files	18,885.58	31,410.17
21. Supervisor of Storeroom and Mailing	16,524.89	28,679.20

Section 27. 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:

	Minimum	Maximum
1. Airport Maintenance Supervisor	\$21,019.66	\$40,415.96
2. Airport Safety Supervisor	21,019.66	40,946.44
3. Assistant Chief Building Inspector	17,705.24	40,414.83
4. Assistant Chief Housing Inspector	17,705.24	40,414.83
5. Assistant Custodian	16,559.28	38,264.37
6. Assistant Superintendent of Electrical Generation	21,019.66	44,786.47
7. Bridge Inspector	13,958.10	32,928.96
8. Bureau Manager - Housing	26,797.11	64,862.82
9. Bureau Manager - Demolition	26,797.11	64,862.82
10. Bureau Manager - Building	26,797.11	64,862.82
11. Cable Production Manager	20,410.00	73,481.81
12. Chief Bridge Operator	16,559.28	38,264.37
13. Chief of Electric Meter Bureau	26,274.57	55,906.32
14. Chief Guard	15,764.74	32,747.82
15. Chief Safety Signal System	\$18.60 per hour	\$29.06 per hour
16. Chief Sidewalk Inspector	15,641.78	36,276.04
17. Chief Street Permit Inspector	14,790.48	34,503.43
18. Chief of Traffic Signal Unit	\$18.60 per hour	\$29.06 per hour
19. Community Development Code Enforcement Inspector Supervisor	34,464.91	44,884.01
20. Coordinator of Parking Enforcement	18,627.62	41,341.23
21. Correctional Supervisor	17,543.01	40,415.94
22. District Forester	31,043.38	46,065.90
23. Electric Bridge Operator Leader	\$ 8.55 per hour	\$14.33 per hour
24. Environmental Assistant	17,705.24	40,415.94
25. Field Operations Forester	32,445.00	47,805.98
26. General Superintendent Waste Collection	30,473.96	50,347.87
27. House Sergeant	13,137.29	28,928.93
28. Instrumentation Supervisor	29,200.50	40,609.39
29. Parking Meter Foreman	24,679.38	31,452.00
30. Printing Foreman	28,404.92	41,130.46
31. Supervisor of Landscape Construction	17,078.47	36,858.25
32. Supervisor of Parking Enforcement Unit	18,262.21	31,022.92

33.	Supervisor of Markets	14,790.48	34,503.43
34.	Supervisor of Weights and Measures	14,790.48	34,503.43
35.	Survey Party Chief	18,099.87	42,966.94
36.	Tunnel Maintenance Foreman	17,078.47	30,155.23
37.	Tunnel Maintenance Man	15,764.72	27,532.64

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:

	Minimum	Maximum
1. Accountant IV.....	\$18,627.62	\$42,557.04
2. Airport Operations Agent III.....	18,627.62	42,557.04
3. Assistant Bureau Chief-Demolition.....	18,627.62	42,557.04
4. Assistant Financial Systems Coordinator.....	18,627.62	42,557.04
5. Assistant Personnel Administrator.....	18,627.62	42,557.04
6. Budget and Management Analyst.....	18,627.62	42,557.04
7. Chief Dog Warden.....	18,627.62	53,712.78
8. Labor Relations Assistant.....	18,627.62	42,557.04
9. Rehabilitation Supervisor.....	18,627.62	42,557.04
10. Superintendent of Sewer Maintenance.....	18,627.62	42,557.04
11. Supervisor of Architectural Construction.....	18,627.62	42,557.04
12. Supervisor of Personnel Records.....	18,627.62	42,557.04
13. Supervisor of Site Development.....	18,627.62	42,557.04
14. Supervisor of Vital Statistics.....	18,627.62	42,557.04
15. Systems Analyst.....	18,627.62	42,557.04
16. Water Plant Shift Supervisor.....	\$8.96 per hour	\$20.46 per hour
17. Water Plant Shift Supervisor - Parma Control.....	\$8.96 per hour	\$20.46 per hour
18. Water System Construction Inspector Supervisor.....	18,627.62	42,557.04

Section 29. 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:

	Minimum	Maximum
1. Airport Maintenance Superintendent.....	\$19,784.74	\$44,884.04
2. Assistant Commissioner of Recreation.....	19,784.74	56,649.76
3. Assistant Contract Compliance Officer.....	19,784.74	44,884.04
4. Assistant Director of Public Health Nurses.....	19,784.74	44,884.04
5. Assistant Income Tax Financial Supervisor.....	19,784.74	44,884.04
6. Assistant Manager of Audit Control and Personnel.....	19,784.74	44,884.04
7. Assistant Manager of Recreation.....	19,784.74	44,884.04
8. Assistant Superintendent of Pumping.....	19,784.74	44,884.04
9. Assistant Superintendent of Purification.....	19,784.74	44,884.04
10. Auditor.....	19,784.74	44,884.04
11. Chief Alcoholism Coordinating Service.....	19,784.74	44,884.04
12. Chief of the Demolition Bureau.....	19,784.74	44,884.04
13. Chief Plan Examiner.....	19,784.74	44,884.04
14. City Planner.....	19,784.74	44,884.04
15. Deputy Commissioner of Recreation-Fiscal Control.....	19,784.74	56,649.76
16. Deputy Project Director.....	19,784.74	44,884.04
17. District Supervisor-Environmental Health.....	19,784.74	44,884.04
18. Emergency Medical Technician Supervisor.....	19,784.74	44,884.04
19. Income Tax Supervisor.....	19,784.74	44,884.04
20. Office of Professional Standards Investigative Auditor.....	19,784.74	44,884.04
21. Office of Professional Standards Research/Analyst.....	19,784.74	44,884.04
22. Project Program Director of Consumer Affairs.....	19,784.74	44,884.04
23. Recreation Center Manager.....	34,950.00	56,649.76
24. Superintendent of Light Equipment Maintenance.....	19,784.74	44,884.04
25. Superintendent of Vehicle Administrative Services.....	19,784.74	44,884.04
26. Supervisor Administrative Services - Data Processing Center.....	19,784.74	44,884.04
27. Supervisor of Milk Program.....	19,784.74	44,884.04
28. Supervisor of Vector Control.....	19,784.74	44,884.04
29. Welfare Liaison.....	19,784.74	44,884.04

Section 30. 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:

	Minimum	Maximum
1. Air Pollution Control, Engineer IV.....	\$20,231.40	\$47,489.48
2. Airport Safety Shift Commander.....	20,231.40	47,489.48
3. Assistant Administrator.....	20,231.40	47,489.48
4. Assistant Health Center Director.....	20,231.40	47,489.48
5. Assistant Manager of Marketing.....	20,231.40	47,489.48
6. Central Payroll Supervisor.....	20,231.40	47,489.48
7. Chief Building Inspector.....	20,231.40	47,489.48
8. Chief Electrical Inspector.....	20,231.40	47,489.48
9. Chief Elevator Inspector.....	20,231.40	47,489.48

10.	Chief Environmental Health-Engineering.....	20,231.40	47,489.48
11.	Chief Heating Inspector.....	20,231.40	47,489.48
12.	Chief Housing Inspector.....	20,231.40	47,489.48
13.	Chief Plumbing Inspector.....	20,231.40	47,489.48
14.	Chief Rehabilitation Supervisor.....	20,231.40	47,489.48
15.	Contract Supervisor-Division of Purchases and Supplies.....	20,231.40	47,489.48
16.	Data Processing Supervisor.....	20,231.40	47,489.48
17.	Human Resources Contract Administrator.....	20,231.40	63,385.82
18.	Manager of Public Utilities Building Maintenance.....	20,231.40	58,509.98
19.	Senior Systems Analyst.....	20,231.40	47,489.48
20.	Shift Supervisor Operations.....	20,231.40	47,489.48
21.	Superintendent of Distribution.....	20,231.40	47,489.48
22.	Superintendent of Pumping.....	20,231.40	47,489.48
23.	Superintendent of Purification.....	20,231.40	47,489.48
24.	Supervising Tax Auditor.....	20,231.40	47,489.48
25.	Supervisor of Civil Service Records.....	20,231.40	47,489.48

Section 31. 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:

	Minimum	Maximum	
1.	Airport Operations Superintendent.....	\$22,333.40	\$50,221.06
2.	Airport Security Coordinator.....	22,333.40	50,221.06
3.	Assistant Airport Safety Chief/Training Officer.....	22,333.40	50,221.06
4.	Assistant Chief of Pumping.....	22,333.40	50,221.06
5.	Assistant Chief of Purification.....	22,333.40	50,221.06
6.	Assistant Manager of Box Office.....	22,333.40	50,221.06
7.	Assistant Manager-Human Resources Planning and Management.....	22,333.40	50,221.06
8.	Assistant Manager of Stage.....	22,333.40	50,221.06
9.	Chief of Bureau of Accounts and Collections.....	22,333.40	50,221.06
10.	Chief of Bureau of Industrial Air Pollution.....	22,333.40	50,221.06
11.	Chief of Bureau of Smoke Abatement.....	22,333.40	50,221.06
12.	Chief Engineer - Traffic.....	22,333.40	58,509.98
13.	Chief Senior Electric Switchboard Operator.....	22,333.40	50,221.06
14.	Chief of Tax Auditing Bureau.....	22,333.40	50,221.06
15.	Chief of Tax Records Bureau.....	22,333.40	50,221.06
16.	Deputy Commissioner of Purchases and Supplies.....	22,333.40	58,509.98
17.	Health Center Director.....	22,333.40	58,509.98
18.	Human Resources Fiscal Administrator.....	22,333.40	50,221.06
19.	Income Tax Financial Supervisor.....	22,333.40	50,221.06
20.	Manager of Assigned Maintenance.....	22,333.40	58,509.98
21.	Manager of Parks and Recreation Research and Planning.....	22,333.40	58,509.98
22.	Manager of Parks and Urban Forestry.....	22,333.40	58,509.98
23.	Manager of Shops and Field Equipment.....	22,333.40	58,509.98
24.	Manager of Site Development.....	22,333.40	58,509.98
25.	Project Director.....	22,333.40	63,385.82
26.	Programming Supervisor.....	22,333.40	50,221.06
27.	Superintendent of Sidewalks.....	22,333.40	50,221.06
28.	Superintendent of Water Plant Maintenance.....	22,333.40	50,221.06
29.	Warehouse Inventory Manager.....	22,333.40	63,385.82

Section 32. 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:

	Minimum	Maximum	
1.	Accountant Supervisor.....	\$23,647.11	\$52,914.21
2.	Assistant Chief of Water Distribution.....	23,647.11	52,914.21
3.	Assistant Commissioner of Assessments and Licenses.....	23,647.11	52,914.21
4.	Assistant Commissioner, Division of Printing and Reproduction.....	23,647.11	66,784.93
5.	Assistant Commissioner of Engineering and Construction.....	23,647.11	66,784.93
6.	Building Manager.....	23,647.11	61,647.62
7.	Chief Architect.....	23,647.11	66,784.93
8.	Chief Auditor - Utilities.....	23,647.11	66,784.93
9.	Chief City Planner.....	23,647.11	52,914.21
10.	Chief, Computer Operations.....	23,647.11	66,784.93
11.	Chief Engineer - Civil.....	23,647.11	66,784.93
12.	Chief Engineer - Mechanical.....	23,647.11	66,784.93
13.	Chief Legal Investigator - Civil Branch.....	23,647.11	52,914.21
14.	Chief of Street Lighting and Electrical Services.....	23,647.11	52,914.21
15.	Chief of Laboratories.....	23,647.11	52,914.21
16.	Chief of Purification.....	23,647.11	52,914.21

17.	Chief Surveyor.....	23,647.11	52,914.21
18.	Convention Manager.....	23,647.11	61,647.62
19.	Financial Systems Coordinator.....	23,647.11	52,914.21
20.	Fiscal Manager.....	23,647.11	66,784.93
21.	Investment Manager.....	23,647.11	66,784.93
22.	Manager of Enterprise Unit.....	23,647.11	61,647.62
23.	Manager of Events.....	23,647.11	61,647.62
24.	Manager of General Maintenance.....	23,647.11	61,647.62
25.	Manager of Markets.....	23,647.11	61,647.62
26.	Manager of Parking.....	23,647.11	61,647.62
27.	Manager of Production Power Generation.....	23,647.11	61,647.62
28.	Manager of Recreation.....	42,000.00	61,647.62
29.	Purchasing Supervisor - Division of Purchases and Supplies.....	23,647.11	52,914.21
30.	Secretary to the Board of Building Standards and Building Appeals.....	23,647.11	52,914.21
31.	Secretary to the Board of Zoning Appeals.....	23,647.11	52,914.21
32.	Security Manager - Convention Center.....	23,647.11	61,647.62
33.	Senior Internal Auditor.....	23,647.11	52,914.21
34.	Senior Programmer Analyst.....	23,647.11	52,914.21
35.	Supervisor of Food and Drug Administration.....	23,647.11	52,914.21
36.	Supervisor - Information Control.....	23,647.11	52,914.21
37.	Theatrical Manager.....	23,647.11	52,914.21
38.	Water Plant Manager.....	23,647.11	66,784.93

Section 33. 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:

	Minimum	Maximum	
1.	Airport Maintenance Manager.....	\$26,273.96	\$70,559.87
2.	Airport Operations Manager.....	26,273.96	70,559.87
3.	Airport Safety Chief.....	26,273.96	70,559.87
4.	Assistant Commissioner of Administrative Services....	26,273.96	70,559.87
5.	Assistant Commissioner of Building and Housing.....	26,273.96	70,559.87
6.	Assistant Commissioner of Cleveland Public Power....	26,273.96	70,559.87
7.	Assistant Commissioner of Motor Vehicles Maintenance.....	26,273.96	70,559.87
8.	Assistant Commissioner of Neighborhood Development.....	26,273.96	70,559.87
9.	Assistant Commissioner of Neighborhood Revitalization.....	26,273.96	70,559.87
10.	Assistant Commissioner of Neighborhood Services.....	26,273.96	70,559.87
11.	Assistant Commissioner of Streets.....	26,273.96	70,559.87
12.	Assistant Commissioner of Waste Collection and Disposal.....	26,273.96	70,559.87
13.	Assistant Commissioner of Water Pollution Control....	26,273.96	70,559.87
14.	Assistant Director of Community Relations Board.....	26,273.96	70,559.87
15.	Assistant Income Tax Administrator.....	26,273.96	55,905.12
16.	Assistant Superintendent of Electric Transmission and Distribution.....	26,273.96	55,905.12
17.	Chief of Air Pollution Enforcement.....	22,333.40	63,385.82
18.	Chief of Air Pollution Engineering.....	22,333.40	63,385.82
19.	Chief of Air Pollution Information Systems.....	22,333.40	63,385.82
20.	Chief of Air Pollution Monitoring.....	22,333.40	63,385.82
21.	Chief of Civil Service Examiner.....	26,273.96	55,905.12
22.	Chief of Pharmacy Services.....	26,273.96	70,559.87
23.	Chief of Pumping.....	26,273.96	55,905.12
24.	Chief of Water Distribution.....	26,273.96	55,905.12
25.	Chief Training Officer.....	26,273.96	55,905.12
26.	City Hall Custodian.....	26,273.96	55,905.12
27.	Community Development Executive Assistant.....	26,273.96	70,559.87
28.	Contract Compliance Officer.....	26,273.96	55,905.12
29.	Deputy Commissioner of Accounts.....	26,273.96	65,132.18
30.	Deputy Commissioner of Air Pollution Control.....	26,273.96	65,132.18
31.	Deputy Commissioner of Airports.....	26,273.96	65,132.18
32.	Deputy Commissioner of Convention Center and Stadium.....	26,273.96	65,132.18
33.	Deputy Commissioner of Convention Center and Stadium/West Side Market.....	26,273.96	65,132.18
34.	Deputy Commissioner of Maintenance.....	26,273.96	65,132.18
35.	Deputy Commissioner of Parks and Urban Forestry.....	26,273.96	65,132.18
36.	Deputy Commissioner of Parks and Urban Forestry/Golf Courses and Cemeteries.....	26,273.96	65,132.18
37.	Deputy Commissioner of Recreation.....	26,273.96	65,132.18
38.	Director of Public Health Nurses.....	26,273.96	65,132.18
39.	General Manager of Administrative Services.....	26,273.96	70,559.87

40.	Office of Professional Standards Administrator.....	26,273.96	55,905.12
41.	Manager of Human Resources Program Planning and Management.....	26,273.96	65,132.18
42.	Personnel Administrator.....	26,273.96	65,132.18
43.	Senior Budget and Management Analyst.....	26,273.96	55,905.12
44.	Superintendent of Industrial Claims.....	26,273.96	55,905.12
45.	Superintendent of Motorized Equipment.....	26,273.96	55,905.12
46.	Utilities Comptroller.....	26,273.96	70,559.87

Section 34. 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:

		Minimum	Maximum
1.	Assistant Commissioner of Water.....	\$27,325.56	\$77,232.81
2.	Assistant Secretary of Sinking Fund Commission.....	27,325.56	77,232.81
3.	Chief of Health Planning and Evaluation.....	27,325.56	61,192.14
4.	Chief-Systems Analysis.....	27,325.56	77,232.81
5.	Consulting Engineer.....	27,325.56	77,232.81
6.	Harbor Manager.....	27,325.56	77,232.81
7.	Labor Relations Officer.....	27,325.56	61,192.14
8.	Manager of Architecture.....	27,325.56	71,291.82
9.	Manager of Compensation and Classifications.....	27,325.56	71,291.82
10.	Manager of Education and Research.....	27,325.56	71,291.82
11.	Manager of Employee Accident Control.....	27,325.56	71,291.82
12.	Manager of Employee Relations.....	27,325.56	71,291.82
13.	Manager of Equal Employment Opportunity.....	27,325.56	71,291.82
14.	Manager of Recruitment.....	27,325.56	71,291.82
15.	Minority Business Development Administrator.....	27,325.56	61,192.14
16.	Project Coordinator.....	27,325.56	71,291.82
17.	Risk Manager.....	27,325.56	77,232.81
18.	Superintendent of Electric Trouble Operations.....	27,325.56	61,192.14

Section 35. 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:

		Minimum	Maximum
1.	Administrator of Engineering and Planning.....	\$30,214.95	\$88,843.46
2.	Airport Chief Engineer.....	30,214.95	88,843.46
3.	Airport Planning Environmental Officer.....	30,214.95	70,391.35
4.	Air Trade Development Manager.....	30,214.95	82,009.34
5.	Assistant Director of Human Resources and Economic Development.....	30,214.95	88,843.46
6.	Budget Administrator.....	30,214.95	82,009.34
7.	Chief of Personnel Management.....	30,214.95	82,009.34
8.	Comptroller-Airports.....	30,214.95	88,843.46
9.	Data Base Analyst.....	30,214.95	70,391.35
10.	Deputy Commissioner of Building and Housing.....	30,214.95	82,009.34
11.	Deputy Commissioner of Cleveland Hopkins International Airport.....	30,214.95	82,009.34
12.	Deputy Commissioner of Parks, Maintenance and Properties.....	30,214.95	82,009.34
13.	Deputy Commissioner of Water.....	30,214.95	82,009.34
14.	Deputy Commissioner of Water Pollution Control.....	30,214.95	82,009.34
15.	Executive Commissioner for Administration of Department of Finance.....	30,214.95	82,009.34
16.	Executive Commissioner of Parks and Urban Forestry.....	30,214.95	82,009.34
17.	Hardware Analyst.....	30,214.95	88,843.46
18.	Labor Relations Manager.....	30,214.95	82,009.34
19.	Manager of Electric System Operation.....	30,214.95	82,009.34
20.	Manager of Human Resources Monitoring and Evaluation.....	30,214.95	82,009.34
21.	Manager of Marketing.....	30,214.95	82,009.34
22.	Manager of Properties.....	30,214.95	82,009.34
23.	Manager of Public Service Operations.....	30,214.95	82,009.34
24.	Manager of Telecommunications.....	30,214.95	70,391.35
25.	Project Leader/Applications.....	30,214.95	70,391.35
26.	Software Analyst.....	30,214.95	70,391.35
27.	Superintendent of Electric Transmission and Distribution.....	30,214.95	70,391.35
28.	Supervisor of Computer Operations.....	30,214.95	70,391.35
29.	Supervisor Hardware Evaluation.....	30,214.95	70,391.35
30.	Telecommunications Analyst.....	30,214.95	70,391.35
31.	Veterinarian in Charge of Spay and Neuter Clinic.....	30,214.95	70,391.35

Section 36. That the appointing authority shall fix the salaries in the following classifications in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. City Comptroller	\$41,312.22	\$108,845.80
2. City Treasurer	41,312.22	100,473.05
3. Commissioner of Accounts	38,951.52	104,266.80
4. Commissioner of Administrative Services — Community Development	38,951.52	104,266.80
5. Commissioner of Architecture	41,312.22	116,584.69
6. Commissioner of Assessments and Licenses.....	38,951.52	96,246.28
7. Commissioner of Building and Housing.....	43,672.91	115,714.26
8. Commissioner of Burke Airport.....	38,951.52	96,246.28
9. Commissioner of Cleveland Hopkins International Airport	41,312.22	116,584.69
10. Commissioner of Cleveland Public Power.....	43,672.91	115,714.26
11. Commissioner of Convention Center	43,672.91	106,813.16
12. Commissioner of Emergency Medical Services	41,312.22	108,845.80
13. Commissioner of Engineering and Construction	43,672.91	115,714.26
14. Commissioner of Environment	41,312.22	108,845.80
15. Commissioner of Health	43,672.91	115,714.26
16. Commissioner of House of Corrections	38,951.52	96,246.28
17. Commissioner of Information Systems Services.....	50,400.00	115,714.26
18. Commissioner of Motor Vehicle Maintenance	38,951.52	104,266.80
19. Commissioner of Neighborhood Development	38,951.52	96,246.28
20. Commissioner of Neighborhood Revitalization	41,312.22	100,473.05
21. Commissioner of Neighborhood Services	41,312.22	100,473.05
22. Commissioner of Park Maintenance and Properties ...	41,312.22	116,584.69
23. Commissioner of Parking Facilities	38,951.52	104,266.80
24. Commissioner of Printing and Reproduction	38,951.52	104,266.80
25. Commissioner of Property Management	43,672.91	115,714.26
26. Commissioner of Purchases and Supplies	41,312.22	100,473.05
27. Commissioner of Recreation	41,312.22	116,584.69
28. Commissioner of Research/Planning and Development	38,951.52	104,266.80
29. Commissioner of Streets	38,951.52	104,266.80
30. Commissioner of Traffic Engineering and Parking ...	41,312.22	100,473.05
31. Commissioner of Utilities Engineering	41,312.22	96,246.28
32. Commissioner of Utilities Fiscal Control	38,951.52	96,246.28
33. Commissioner of Waste Collection and Disposal	38,951.52	104,266.80
34. Commissioner of Water	43,672.91	115,714.26
35. Commissioner of Water Pollution Control	38,951.52	104,266.80
36. Income Tax Administrator	41,312.22	108,845.80
37. Manager of Internal Audit	38,951.52	96,246.28

Section 37. 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:

	Minimum	Maximum
1. Assistant Manager — Applications Development and Technical Support.....	\$46,224.91	\$98,555.96
2. Assistant Manager — Data Processing Operations.....	46,224.91	90,974.74
3. Assistant to Manager of Planning.....	46,224.91	90,974.74
4. Deputy Commissioner of Cleveland Public Power.....	46,224.91	90,974.74

Section 38. 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:

	Minimum	Maximum
1. Data Base Administrator.....	\$39,937.34	\$86,684.04
2. Supervisor Applications Development.....	39,937.34	68,680.43
3. Supervisor Software Support.....	39,937.34	68,680.43
4. Supervisor Quality Assurance.....	39,937.34	68,680.43

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 \$101,779.10 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:

	Minimum	Maximum
1. Box Office Cashier	\$ 10.30 per hour	\$ 12.66 per hour
2. Chaplain	\$ 6.74 per hour	\$ 10.31 per hour
3. Checker	\$ 5.15 per hour	\$ 6.48 per hour
4. Conservation Aide	\$ 5.15 per hour	\$ 5.26 per hour
5. Dentist	\$ 13.38 per hour	\$ 25.65 per hour
6. Head Usher	\$ 5.15 per hour	\$ 10.18 per hour
7. Medical Examiner	\$ 21.40 per hour	\$ 52.61 per hour
8. Organ Tuner	\$ 9.63 per hour	\$ 22.50 per hour
9. Park Maintenance Aide	\$ 5.15 per hour	\$ 7.70 per hour
10. Ranger	\$ 5.15 per hour	\$ 10.06 per hour
11. School Crossing Guard	\$ 16.50 per day	\$ 19.50 per day
12. Section Supervisor.....	\$ 5.50 per hour	\$ 6.18 per hour
13. Snow Removal Vehicle Operator	\$ 10.40 per hour	\$ 12.29 per hour
14. Stage Hand	\$ 18.55 per hour	\$ 23.02 per hour
15. Stage Hand Casual	\$ 20.00 per hour	\$ 23.20 per hour
16. Stage Hand - Show Rate	\$ 63.00 per show	\$ 75.63 per show
17. Student Aide	\$ 6.00 per hour	\$ 7.78 per hour
18. Student Assistant	\$ 5.15 per hour	\$ 6.85 per hour
19. Usher	\$ 5.15 per hour	\$ 5.93 per hour
20. Usher Captain	\$ 5.89 per hour	\$ 7.17 per hour

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:

	Minimum	Maximum
1. Associate Director.....	\$37,783.00	\$65,783.00
2. Bailiff.....	36,085.00	59,044.00
3. Chief Deputy Bailiff.....	37,569.00	67,565.00
4. Chief Magistrate.....	48,620.00	72,961.00
5. Chief Probation Officer.....	50,395.00	72,961.00
6. Clinical Director.....	37,783.00	65,783.00
7. Deputy Bailiff.....	21,424.00	46,000.00
8. Deputy Bailiff Administrative Assistant - Finance.....	39,173.00	56,240.00
9. Deputy Bailiff Administrative Assistant - Operations....	39,173.00	56,240.00
10. Deputy Bailiff Assistant Director of Data Processing....	22,223.00	53,045.00
11. Deputy Bailiff Assistant Jury Commissioner.....	21,907.00	48,255.00
12. Deputy Bailiff Central Scheduling Director.....	41,755.17	67,590.00
13. Deputy Bailiff Chief Court Reporter.....	41,755.00	63,565.00
14. Deputy Bailiff Clerk Typist.....	19,526.00	28,260.00
15. Deputy Bailiff - Court Administrator.....	62,624.00	82,000.00
16. Deputy Bailiff - Court Reporter.....	22,914.00	49,214.00
17. Deputy Bailiff Data Processor.....	21,100.00	45,551.00
18. Deputy Bailiff Deputy Court Administrator.....	45,486.00	70,486.00
19. Deputy Bailiff/Deputy Court Administrator Chief Information Officer.....	45,486.00	82,000.00
20. Deputy Bailiff Deputy Chief Court Reporter.....	22,923.00	50,677.00
21. Deputy Bailiff Director of Data Processing.....	58,349.00	85,000.00
22. Deputy Bailiff Finance Officer.....	39,173.00	56,240.00
23. Deputy Bailiff General.....	21,424.00	49,000.00
24. Deputy Bailiff Jury Commissioner.....	37,783.00	57,851.00
25. Deputy Bailiff Law Clerk.....	21,250.00	43,014.00
26. Deputy Chief Magistrate.....	40,752.00	64,536.00
27. Deputy Bailiff - Office Manager.....	39,827.00	67,286.00
28. Deputy Bailiff Private Secretary.....	20,112.00	30,560.00
29. Deputy Bailiff Public Information Officer.....	\$18.47 per hour	\$33.56 per hour
30. Deputy Bailiff Scheduler I.....	22,284.00	43,239.00
31. Deputy Bailiff Session Room Supervisor.....	22,284.00	48,268.00
32. Deputy Bailiff - Special Projects Officer.....	30,000.00	57,000.00
33. Deputy Bailiff Supervisor.....	41,368.00	59,044.00
34. Deputy Bailiff Systems Analyst.....	35,000.00	55,000.00
35. Deputy Bailiff Training Officer.....	31,000.00	57,000.00
36. Deputy Chief Probation Officer.....	42,318.00	65,130.00
37. Immobilization Officer.....	\$15.60 per hour	\$23.85 per hour
38. Magistrate.....	40,752.00	64,536.00
39. Municipal Court Psychologist.....	\$47.74 per hour	\$90.00 per hour
40. Personal Bailiff.....	43,285.00	58,000.00
41. Probation Officer General.....	28,585.00	49,410.00
42. Probation Officer Supervisor.....	48,616.00	65,612.00
43. Psychiatric Case Worker.....	21,681.00	49,370.00
44. Psychiatric Social Worker.....	21,907.00	49,255.00
45. Psychologist II.....	\$60.00 per hour	\$84.00 per hour
46. Small Claims Magistrate.....	20,687.00	48,525.00
47. Student Aide.....	\$5.15 per hour	\$8.50 per hour
48. Traffic Court Magistrate.....	40,752.00	63,714.00

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:

	Rank	Minimum	Maximum
1.	Chief of Police	\$69,682.20	\$139,534.46
2.	Deputy Chief of Police	63,966.00	117,556.56

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 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:

		Minimum	Maximum
1.	Junior Assistant Secretary of Police.....	\$26,213.25	\$50,183.80
2.	Surgeon of Police.....	43,107.75	67,569.79
3.	Superintendent of Criminalistics.....	30,086.70	59,224.97
4.	Superintendent of Safety Buildings.....	30,086.70	59,224.97

Section 47. Division of Fire; Fire Chief and Assistant Fire Chief

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:

		Minimum	Maximum
1.	Fire Chief.....	\$64,407.00	\$139,534.46
2.	Assistant Fire Chief.....	56,790.30	104,649.47

Section 2. That the following existing Sections of Ordinance No. 436-97, passed April 14, 1997:

Sections 2 and 3,

Section 4, as amended by Ordinance No. 1474-97, passed October 13, 1997, and

Sections 5, 6, 25, 26

Section 27, as amended by Ordinance No. 1698-98, passed September 21, 1998,

Sections 28 and 29,

Section 30, as amended by Ordinance No. 1474-97, passed October 13, 1997,

Section 31,

Section 32, as amended by Ordinance No. 1474-97, passed October 13, 1997, and

Sections 33, 34, 35, 36, 37, 38, and 39,

Section 40, as amended by Ordinance No. 1693-98, passed September 21, 1998, and Ordinance No. 1474-97, passed October 13, 1997, and

Sections 42, 43, 46 and 47,

are hereby repealed.

Section 3. That all non-bargaining unit employees of the City of Cleveland shall receive a Three Percent (3%) increase in their annual salaries and compensation effective April 1, 1998.

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

Ord. No. 2123-98.

By Councilman Jones.

An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to the Ward 1 Club to stretch banners across the intersections of Harvard Lee and Miles & Lee, for the period from December 8, 1998 to January 5, 1999, inclusive, publicizing the Happy Holiday Season.

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

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

Section 1. The notwithstanding the provision of Section 623.13 of the Codified Ordinances of Cleveland, Ohio, 1979, the Director of Public Service is hereby authorized and directed to issue a permit to the Ward 1 Club to install, main-

tain and remove banners across the intersections of Harvard & Lee and Miles & Lee, for the period from December 8, 1998 to January 5, 1999, inclusive. Said banner shall be approved by the Director of Public Service, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of

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

Passed December 7, 1998.

Awaiting the approval or disapproval of the Mayor.

**COUNCIL COMMITTEE
MEETINGS**

Monday, December 14, 1998

Committee of the Whole — Present: Westbrook, Chairman; Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Patmon, Polensek, Robinson, Rybka, Sweeney, Willis, Zone. Excused: Moran, White.

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