

# The City Record

Official Publication of the City of Cleveland

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November the Eleventh, Nineteen Hundred and Ninety-Eight

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<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Jay Westbrook	
<b>Clerk of Council</b>	
Artha Woods	
<b>Ward</b>	<b>Name</b>
1	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.		
<b>MAYOR—Michael R. White</b>			
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			
<b>DEPT. OF LAW—Cornell P. Carter, Director, Lessie M. Milton,</b> 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			
<b>DEPT. OF FINANCE—Martin L. Carmody, Director, Room 104; Carlean</b> Alford, Manager, Internal Audit			
<b>DIVISIONS—Accounts—Gayle Goodwin Smith, Commissioner, Room 19</b> 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.			
<b>DEPT. OF PUBLIC UTILITIES—Michael Konicek, Director, 1201 Lakeside</b> Avenue			
<b>DIVISIONS—1201 Lakeside Avenue</b>			
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.			
<b>DEPT. OF PORT CONTROL—Solomon F. Balraj, Director,</b> Cleveland Hopkins International Airport, 5300 Riverside Drive;			
Cleveland Hopkins International Airport – Mark D. Vanloh, Commissioner			
Burke Lakefront Airport – Michael C. Barth, Commissioner			
<b>DEPT. OF PUBLIC SERVICE—Henry Guzmán, Director, Room 113</b>			
<b>DIVISIONS—Waste Collection and Disposal—Randell T. Scott, Acting</b> 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			
<b>DEPT. OF PUBLIC HEALTH—Robert O. Staib, Director, Mural Building</b> 1925 St. Clair Avenue.			
<b>DIVISIONS—Health—Joyce Atwell-Joyce, Commissioner, Mural Building,</b> 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			
<b>DEPT. OF PUBLIC SAFETY—William M. Denihan, Director, Room 230.</b>			
<b>DIVISIONS—Police—Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300</b> 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			
<b>DEPT. OF PARKS, RECREATION &amp; PROPERTIES—Nicholas P. Jackson,</b> Director, Cleveland Convention Center, Clubroom A, 1220 E. 6th St.			
<b>DIVISIONS—Convention Center &amp; Stadium—James Glending,</b> 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 Connally	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, NOVEMBER 11, 1998

No. 4431

## CITY COUNCIL

MONDAY, NOVEMBER 9, 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 November 9, 1998.  
The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

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

Also present were Chief of Staff Sheffield-McClain and Directors Carter, Carmody, Konicek, Balraj, Staib, Hudecek, Nolan, Warren, Axelrod, Dove, Morrison and Acting Directors Jackson, Miller, Ricchiuto and Terry.

Absent: Mayor White and Directors Guzman, Denihan and Jackson.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Sterling Glover, Pastor of Emmanuel Baptist Church, located in Ward 6. Pledge of Allegiance.

#### MOTION

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

#### VETO

**File No. 1845-98-A.**

October 29, 1998

#### BY HAND DELIVERY

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

Re: **Ordinance No. 1845-98**

Dear Council President Westbrook:

I am reluctantly disapproving Ordinance No. 1845-98 and return it to you with my veto noted thereon and my objections outlined below.

Ordinance No. 1845-98, which amends Codified Ordinance Section 173.071 to mandate that Council members receive expense reimburse-

ments within two business days, is an exercise of authority that the Council does not have and which is given to others pursuant to the City Charter. Furthermore, the Ordinance runs contrary to good accounting practices as recommended by the City's auditors and could result in violations of Treasury Regulations relating to such reimbursement plans.

#### The Controlling Charter Provisions

The City Charter bestows upon the Director of Finance and the Commissioner of Accounts the duty to supervise the City's money. If the Director or the Commissioner fails in this duty, then each may be saddled with personal liability. The Council cannot order the Director or the Commissioner to make a payment that the Director or the Commissioner has not investigated and found to be legal and proper. The Director and the Commissioner must have adequate time to determine whether a payment is legal and proper.

This conclusion is supported by several Charter sections. Charter Section 94 gives the Director of Finance charge of "the administration of the financial affairs of the City, including the keeping and supervision of all accounts; the custody and disbursement of City funds and moneys. . . ." Charter Section 95 prescribes the accounting procedure that the Director of Finance must follow and gives the Director discretion to describe the form of accounts. Charter Section 97 designates the Commissioner of Accounts as "the chief accounting officer of the City." Charter Section 97 further states that the Commissioner of Accounts "shall, under the supervision of the Director of Finance, install and maintain accounting procedures in conformity with Section 95 of the Charter."

Charter Section 105 addresses the means and manner for making a claim for payment. It states, "No claim against the City shall be paid unless it be evidenced by a voucher approved by the head of the department or office for which the indebtedness was incurred. . . ." The Commissioner of Accounts shall examine all payrolls, bills and other claims and demands against the City and shall issue no warrant for payment unless he finds that the claim is in proper form, correctly computed and duly approved; that it is justly and legally due and payable; that an appropriation has been made therefor which has not been exhausted, or that the payment has been otherwise legally authorized; and that there is money in the City Treasury to make payment." Charter Section 105 further gives the Commissioner power to investigate any claim. The

head of the department is individually liable for "negligent or corrupt approval of any such claim." The Commissioner of Accounts is individually liable for issuing a warrant contrary to law or ordinance.

Thus, the Charter makes issuance of warrants in payment of claims an administrative function of the Director of Finance and the Commissioner of Accounts. Each of them may be individually liable for warrants issued contrary to law. In an opinion requested by the City of Cleveland, the Ohio Attorney General determined that when the Charter contains specific provisions as to the means and manner of making claims against the City, the Charter must be strictly followed. "When the people of a charter city make a specific provision as to the means by, and the manner in which, and the conditions under which claims against the city must be presented and allowed, the charter provisions must be strictly followed." 1938 Ohio.Atty.Gen.Ops. 370, paragraph 1 of the syllabus. The opinion examined Cleveland's Charter Section 105 and found that "power is delegated therein to the Commissioner of Accounts to fully investigate any claims." *Id.* at p. 372. The Attorney General further found, "The people of the City of Cleveland by the adoption of this section of the charter threw safeguards around their public funds and the City Council can not go beyond them." *Id.* at 372. The Attorney General concluded, "Where the city charter provides that all claims against the city shall be presented to the Commissioner of Accounts, by him examined into and found to be justly and legally due and payable before he draws his warrant therefor, the city council has no power or authority to order the city treasurer to draw his check in payment of a claim." *Id.* at paragraph 3 of the syllabus.

Thus, pursuant to the City's charter and the opinion of the Ohio Attorney General, issuing warrants in payment of expenses is an administrative function that cannot be disturbed by the City Council. Ordinance No. 1845-98 provides that members of Council shall receive reimbursement within two business days following approval by the Clerk of Council and submission to the Department of Finance. As shown above, the Director of Finance and the Commissioner of Accounts must be able to investigate the legality and appropriateness of any claim and the Council cannot order payment if the Commissioner of Accounts has not been able to examine the claim. It follows that the Director of Finance and the Commissioner of Accounts must be given sufficient time to examine claims. Two days is not sufficient time, nor is it within the power of Council to determine that two days is sufficient time.

Charter Section 78 gives each director the power to prescribe rules and regulations to carry out their charter mandated duties. Charter Section 78 states, "The director of each department shall have the supervision and control of the department. He shall have power to prescribe rules and regulations, not inconsistent with this Charter. . . for the distribution and performance of its business. . . ." The Director of Finance and the Commissioner of Accounts have prescribed a procedure, consistent with Charter Section 105, for the payment of claims

for expense reimbursements. This procedure is reasonable and within their power to prescribe.

#### Prudent Accounting Practices

The procedure regarding the issuance of warrants for reimbursement of expenses was developed after an audit of the City's disbursement process. In their management report, the auditors specifically cautioned against the issuance of manual checks "since manual checks are more prone to human error, more costly, and more difficult to control." The amendment to Codified Ordinance Section 173.071 proposed by Ordinance No. 1845-98 would make manual checks unavoidable because the current system cannot accommodate a two day turnaround.

The current system allows for reimbursement within five business days. If a legally substantiated claim for reimbursement is submitted by the Monday deadline, a warrant is ready by Friday. This system of issuing warrants once per week is based on the auditor's recommendation and is prudent because it reduces the amount of staff time spent processing warrants as efficiencies are gained, there are less bank-to-bank wire transfers to reimburse commingled cash, wire transfer costs are reduced as transfer to and from the same accounts are consolidated and there is simpler daily reconciliation of the commingled cash account.

That the Commissioner of Accounts be given sufficient time to examine a claim is also supported by recommendations of an IRS auditor after investigation of the Council's own difficulties with expense accounts. The City and the Council, through its own lawyer, made representations to the Internal Revenue Service that the daily mileage log would be reviewed by the Commissioner of Accounts and/or the Department of Law prior to reimbursement. This recommendation was part of the Settlement Agreement between the IRS and the City and the Council incorporated this recommendation into it "Council Member Business Expenditure Policies and Procedures." In order for this to happen, there must be more than two days within which to make a review. It does not seem prudent for the Council to take any action that circumvents good accounting practices in light of the difficulties many members encountered because of previous expense reimbursement reports and substantiation. I am sure that Council members do not want a repeat of these difficulties.

Finally, if expense reimbursements are not properly substantiated to the City through the Director of Finance and the Commissioner of Accounts, then the reimbursements issued will be considered taxable income by the Internal Revenue Service. Treasury regulations require that expenses must be substantiated to the payor, which is the City of Cleveland, not the Clerk of Council. As Charter Section 105 describes, the Clerk of Council, is but one step in the authorization of payment. The Commissioner of Accounts, under the supervision of the Director of Finance, must be satisfied that a claim is legal and just. If the Commissioner of Accounts is not given adequate time

to do this then the reimbursement plan becomes taxable and all reimbursements must be included in wages of the Council members (who may then seek to deduct the reimbursement amounts from their personal tax returns).

With these reasons, I hereby veto Ordinance No. 1845-98.

Sincerely,  
MICHAEL R. WHITE  
Mayor, City of Cleveland

cc: Artha Woods, Clerk of Council

Received.

#### COMMUNICATIONS

##### File No. 1938-98.

October 29, 1998

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

Dear Council President Westbrook:

As you know we are in the process of organizing the Community Advisory Committees with regard to the Railroad Agreements. This letter will outline my appointments and recommendations for the proposed Committees.

I am pleased to appoint Rhoda Brafman, Chris Wisniewski and Father Michael Franz to represent the community for the Norfolk Southern Committee. My appointments are Hunter Morrison, Chris Warren and Candice Amos from the Administration. Norfolk Southern has appointed Bruno Maestri, David Brown and Jeff McCracken. You have appointed Councilman Roosevelt Coats, Councilman Timothy Melena and Bryan Gillooly.

I am pleased to recommend Meg McGarry, Ronald Boehlein and Maria Addison to represent the community for the CSX Community Advisory Committee. My appointments are Hunter Morrison, Chris Warren and Candice Amos from the Administration. We are waiting for CSX to name its three representatives. You have appointed Councilman Roosevelt Coats, Councilman Timothy Melena and Bryan Gillooly.

Thank you for your consideration.

Sincerely,  
MICHAEL R. WHITE  
Mayor

Received. Referred to Committee on Mayor's Appointments.

##### File No. 1910-98.

From the Office of Equal Opportunity re: Denials of Certification - Third Quarter, 1998. Received.

##### File No. 1911-98.

From the Office of Equal Opportunity re: MBEs/FBEs Deleted from OEO's Database, Third Quarter, 1998. Received and published in full in the October 28, 1998 City Record.

##### File No. 1912-98.

From the Department of Public Safety re: The Age Line Courteous Care for Later Life donated a gift of \$50.00. Received.

##### File No. 1913-98.

From the Division of Purchases and Supplies re: City of Cleveland Requirement Contract/Monthly Report - October, 1998. Received.

**File No. 1914-98.**  
From the Cleveland Municipal Housing Court re: Division Budget Request Summary. Received.

**File No. 1915-98.**  
From the Division of Purchases and Supplies re: Emergency Requisition (RE-10578). Received.

**File No. 1935-98.**  
From the Department of Port Control re: Notification of "Set Aside" Req. #13369. Received.

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

**File No. 1916-98.**  
Re: New Application - 9163130 - United Truck Stop, Inc., 2700 Transporth Road. (Ward 13). Received.

**File No. 1917-98.**  
Re: New Application - 0622589 - Sandra A. Bennett dba B & B Carry-out, 3779 East 131st Street. (Ward 3). Received.

**File No. 1918-98.**  
Re: Transfer of Ownership Application - 26442480005 - El-Berha Corporation dba J. J.'s Food and Deli, 4282 West 130th Street. (Ward 20). Received.

**File No. 1919-98.**  
Re: Transfer of Ownership Application - 2848404 - 4563 Warner, Inc. dba Warner Mart, 4563 Warner Road. (Ward 2). Received.

**File No. 1920-98.**  
Re: Transfer of Ownership Application - 1115325 - Burkann's, Inc., 5510 St. Clair Avenue and Gas Pumps. (Ward 13). Received.

**File No. 1921-98.**  
Re: Transfer of Ownership Application - 4289654 - Jimmie Richard, 6611 St. Clair Avenue. (Ward 13). Received.

**File No. 1922-98.**  
Re: Transfer of Ownership Application - 1108398 - Luis A. Burgos, 2909 Sackett Avenue. (Ward 14). Received.

**File No. 1923-98.**  
Re: Transfer of Ownership Application - 1825732 - Crooked River Brewing Company, L.L.C. dba Crooked River Brewing Company, L.L.C., 1101 Center Street, first floor. (Ward 13). Received.

**File No. 1924-98.**  
Re: Transfer of Ownership Application - 4041470 - Hudson Hotels Corporation dba Holiday Inn Airport, 4181 West 150th Street. (Ward 20). Received.

**File No. 1925-98.**  
Re: Transfer of Location Application - 740156034861 - Rite Aid of Ohio, Inc. dba Rite Aid 3486, 11702 Lorain Avenue. (Ward 19). Received.

**File No. 1926-98.**  
Re: Transfer of Ownership and Location Application - 75642110005 - Royal Foods, Inc. dba Royal Eagle, 1144 East 105th Street. (Ward 8). Received.

**File No. 1927-98.**  
Re: Transfer of Ownership and Location Application - 0378394 - Daniel J. Brown, 2379 Professor Street. (Ward 13). Received.

**File No. 1936-98.**  
Re: Transfer of Ownership Application - 6551142 - 16826 Lake Shore Boulevard, Inc., 16826 Lakeshore Boulevard. (Ward 11). Received.

**File No. 1937-98.**  
Re: Transfer of Ownership and Location Application - 29115990005 - Marathon Freeway, Inc. dba Freeway Marathon, Inc., 15504 Waterloo Road and gas pumps. (Ward 11). Received.

#### STATEMENT OF WORK ACCEPTED

**File No. 1928-98.**  
From the Department of Parks, Recreation and Properties re: Contract No. 52772, Improvement of Mark Tromba Park. Received.

**File No. 1929-98.**  
From the Division of Architecture re: Contract No. 51425, Improvement (04-96) New Cleveland Browns N.F.L. Football Stadium Mass Excavation and Piling. Received.

**File No. 1930-98.**  
From the Department of Public Utilities re: Contract No. 51519A, work on Baldwin Site Improvement IV, completed and accepted as of May 29, 1998. Received.

**File No. 1931-98.**  
From the Division of Research, Planning and Development re: Contract No. 52243, Belmont Park/Thrush Park Site Improvements. Received.

**File No. 1932-98.**  
From the Division of Research, Planning and Development re: Contract No. 51223, Luke Easter Park Landscaping Improvement. Received.

#### OATH OF OFFICE

**File No. 1933-98.**  
For Linda M. Hudecek, Director of the Department of Community Development. Received.

**File No. 1934-98.**  
For David D. Roberts, Assistant Director of Development for the Department of Port Control. Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 1960-98**—Anita Juan Guley.

**Res. No. 1976-98**—James G. Turner.

**Res. No. 1980-98**—Mamie Mae Morrison.

**Res. No. 1981-98**—Thomas S. Watson, Jr.

**Res. No. 1982-98**—Anthony J. Celebrezze, Sr.

#### CONGRATULATORY RESOLUTIONS

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

**Res. No. 1983-98**—Rosemary O'Connor.

**Res. No. 1984-98**—Russell Johnson.

**Res. No. 1985-98**—Reverend Myron Prok.

**Res. No. 1986-98**—Sis. Ethel Lewis.

**Res. No. 1987-98**—The Fantastic Violinaires.

**Res. No. 1988-98**—Chester & Gladys Herrod.

**Res. No. 1989-98**—Knights of Columbus, Northeast Council, #2786.

**Res. No. 1990-98**—Helen M. Brown.

#### RECOGNITION RESOLUTION

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

**Res. No. 1991-98**—Laurence Gerard Mackie.

#### APPRECIATION RESOLUTION

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

**Res. No. 1992-98**—David B. Ritz.

#### FIRST READING EMERGENCY ORDINANCES REFERRED

**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.

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

**Ord. No. 1940-98.**  
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 127.42 thereof relating to transferring the Bureau of Vital Statistics from the Department of Public Health to the Division of Assessments and Licenses in the Department of Finance; to amend Ordinance No. 141.01, as amended by Ordinance No. 63410-A, passed September 22, 1924; and to repeal existing Section 141.18 thereof, as enacted by Ordinance No. 63410-A, passed September 22, 1924, relating to the Bureau of Vital Statistics.

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 upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the Bureau of Vital Statistics is hereby transferred from the Division of Health of the Department of Public Health to the Division of Assessments and Licenses in the Department of Finance, and for such purposes the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Section 127.42 thereof, to read as follows:

**Section 127.42 Bureau of Vital Statistics**

There is hereby established in the Division of Assessments and

Licenses a Bureau of Vital Statistics, to be administered and controlled by a Chief, subject to the supervision and direction of the Commissioner of Assessments and Licenses. The function of the Bureau shall be to administer the ordinances of the City and the laws of the State on the registration of births and deaths within the City. The duties regarding the keeping of vital statistics as established by the laws of the State are hereby delegated to the Director of Finance.

**Section 2.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, Section 141.18 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 63410-A, passed September 22, 1924, is hereby repealed.

**Section 3.** That concurrence of the Board of Control shall be evidenced by a certified copy of the resolution of the Board of Control duly filed with the Clerk of Council by the Secretary of the Board of Control immediately upon the adoption of such concurring resolution, which resolution shall be attached by the Clerk of Council to this ordinance.

**Section 4.** That pursuant to Sections 77 and 114 of the Charter of the City of Cleveland, the duties of the Department of Public Health are hereby amended, and for such purpose Section 141.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 63410-A, passed September 22, 1924, is hereby amended to read as follows:

**Section 141.01 Establishment: Employees**

There is hereby established a Department of Public Health to be controlled and administered by a Director of Public Health subject to the provisions of the Charter and ordinances of the City, and to the direction of the Mayor. The Director may appoint and employ a secretary whom may be in the unclassified service and such other officers and employees as may be necessary for the operation of his office and the several divisions and activities comprising the Department, except officers and employees appointed by the commissioners of the several divisions in accordance with the provisions of Chapter Section 40. **The duties regarding the keeping of vital statistics as established by the laws of the State may be delegated to the Department of Finance.**

**Section 5.** That existing Section 141.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 63410-A, passed September 22, 1924, is hereby repealed.

**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 Public Health, Finance, Law; Committees on Public Health, Legislation, Finance.

**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.

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 the following alterations and modifications in Contract No. 49858 with Independence Excavating for the Lorain Avenue sewer replacement project, for the Division of Water Pollution Control, Department of Public Utilities:

**Lorain Avenue Relief Sewer  
City Contract No. 49858  
Subsidiary Agreement — Schedule of Items**

1. Additional layout of the storm sewer replacement.	\$ 400.00
2. Pavement and sewer replacement on Lorain Avenue due to cave-in.	\$ 291,287.69
3. Pavement replacement on Lorain Avenue between Rocky River and Groveland due to omission in specifications.	\$ 170,820.00
4. Installation of service laterals.	\$ 11,450.00
5. Installation of service connections to main sewer line.	\$ 29,033.00
6. Cost adjustment for replacement of 18" storm sewer.	\$ 5,819.00
Sub-Total	\$ 508,809.69
Less Amount Remaining in Contract	( 3,395.87)
<b>TOTAL SUBSIDIARY ADDITIONS</b>	<b>\$ 505,413.82</b>
Original Contract Amount	\$1,442,621.40
Total Subsidiary Additions	505,413.82
<b>REVISED CONTRACT AMOUNT</b>	<b>\$1,948,035.22</b>

which alteration has been recommended in writing by the said Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Utilities and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$505,413.82, to be paid from Fund Nos. 54 SF 001 and 54 SF 211.

**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 Utilities, Finance, Law; Committees on Public Utilities, Finance.

**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.**

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 fifteen (15) tag along air compressors with air tools, 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. 24032.

**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. 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.**

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 for miscellaneous building maintenance services for various buildings in the approximate amount as purchased during the preceding year, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Cleveland Public Power, Department of Public Utilities. Bids shall be taken in such manner as to permit an award to be made for all items as a single contract, or by 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 22120)

**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. 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.**

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 hauling and disposal of water plant residuals 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 24030)

**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. 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.**

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 flasher safety lights, arrow bars and traffic control devices 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 various divisions of the 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 23032)

**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. 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.**

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 employ by contract one or more professional insurance consultants or one or more firms of professional insurance consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide fire and extended insurance coverage for various locations within the Division of Cleveland Public Power, Department of Public Utilities, for a period not to exceed three years, beginning August 19, 1999.

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

**Section 2.** That the Director of Public Utilities is hereby authorized to extend Contract No. 49448 with Hylant Maclean, with the same terms and conditions from January 18, 1999 to August 28, 1999, for fire and extended insurance coverage insurance for various locations within the Division of Cleveland Public Power, Department of Public Utilities, based upon its proposal dated October 6, 1998.

**Section 3.** That the costs for such services and the contract extension herein contemplated shall be paid from Fund No. 58 SF 001, Request Nos. 22121 and 22122.

**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. 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.**

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 installing detention tank

piping in the Arbor/Taft area of the City of Cleveland, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the cost of said improvement hereby authorized shall be paid from Fund No. 54 SF 001, Request No. 23019.

**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, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

**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.**

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 installing detention tank piping in the Woodside/Edmonton area of the City of Cleveland, for the Division of Water Pollution Control, Department of Public Utilities, by contract duly let to the lowest responsible bidder after competitive bidding upon a unit basis for the improvement.

**Section 2.** That the Director of Public Utilities is hereby authorized to enter into contract for the making of the above public improvement with the lowest responsible bidder after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of said improvement may be treated as a separate improvement, and each, or any combination, of such trades or components may be the subject of a separate contract upon a unit basis.

**Section 3.** That the cost of said improvement hereby authorized

shall be paid from Fund No. 54 SF 001, Request No. 23020.

**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, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.

**Ord. No. 1949-98.**  
By Councilmen Sweeney, Coats, Zone and Johnson (by departmental request).

**An emergency ordinance to discontinue the Division of Waste Collection and Disposal by repealing Sections 131.14 and 131.15 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; to transfer the Division of Traffic Engineering from the Department of Public Safety to the Department of Public Service by supplementing said codified ordinances by enacting new Sections 131.14 and 131.15 thereof; to amend Sections 131.12, 403.03 and 403.06 of said codified ordinances, as amended by various ordinances, relating to the Duties of the Division of Traffic Engineering and the Commissioner thereof; and to allow for the discontinuance of the Division of Traffic Engineering and the office of the Commissioner of Traffic Engineering upon a vacancy in that office.**

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, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the Division of Waste Collection and Disposal is hereby discontinued and the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 131.14, as amended by Ordinance No. 90-43, passed April 19, 1943, and

Section 131.15, as amended by Ordinance No. 802-69, passed May 19, 1969, are hereby repealed.

**Section 2.** That upon the concurrence of the Board of Control, as required by Section 77 and 79 of the Charter of the City of Cleveland, the Division of Traffic Engineering is hereby transferred from the Department of Public Safety to the Department of Public Service, and for such purposes the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 131.14 and 131.15 thereof, to read, respectively, as follows:

**Section 131.14 Division of Traffic Engineering**

There is hereby established in the Department of Public Service, a Division of Traffic Engineering to be administered and controlled by a Commissioner of Traffic Engineering, subject to the provisions of



the Charter and ordinances of the City, and to the supervision and direction of the Director of Public Service.

**Section 131.15 Duties of Commissioner of Traffic Engineering**

The Commissioner of Traffic Engineering shall administer and supervise the affairs of the Division of Traffic Engineering and prepare drawings, standards and specifications; determine parking restrictions; set up time-space progressive movement signal charts; lay out parking restriction zones including, but not limited to, establishing parking meter zones on streets or parts thereof where parking meters shall be installed; lay out roadway markings; check plans for street changes, permits and all matters bearing on traffic safety; receive complaints, suggestions and partitions; make personal observations of traffic confusion and hazards; make factual studies from spot maps, collision and condition diagrams; make vehicle studies, speed studies, pedestrian studies, obedience checks, special observations, and parking studies; prepare and disseminate accident statistics; watch accident records, spot maps and high accident area lists; cooperate with safety organizations; submit detailed recommendations; prepare detailed plans and specifications; prepare publicly for proposed changes; follow through to see that recommendations are carried out; and make rechecks after changes have been made. The Commissioner of Traffic Engineering shall perform such other and further duties as Council or the Mayor from time to time require of him.

**Section 3.** That, upon the concurrence of the Board of Control, as required by Section 77 and 79 of the Charter of the City of Cleveland, the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976: Section 135.11, as amended by Ordinance No. 172-55, passed January 24, 1955, and

Section 135.12, as amended by Ordinance No. 1495-87, passed November 23, 1987, are hereby repealed.

**Section 4.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the duties of the Commissioner of Streets are hereby amended, and for such purpose Section 131.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 802-69, passed May 19, 1969, is hereby amended to read as follows:

**Section 131.12 Duties of Commissioner of Streets**

The Commissioner of Streets shall supervise the work of other officers and employees in the Division of Streets; see that the streets and boulevards belonging to the City are kept clean and passable; repair and maintain all pavements and roadways in the streets and boulevards belonging to the City; clean gutters, preserve and care for all equipment, apparatus, supplies and other property of the City used in the operation of the Division; **collect and dispose of waste and refuse as defined in Section 551.01 of the Codified Ordinances; provide for the collection of street and public waste from public receptacles; supervise sign and signal erection and maintenance; have charge of the erection**

**and maintenance of street signs; supervise pavement marking;** keep such records pertaining to the work of the Division as may be specifically required by ordinance or rule, or as may be necessary or useful in the efficient management of the Division.

**Section 5.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, Section 131.12 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 802-69, passed May 19, 1969, is hereby repealed.

**Section 6.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, Section 403.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, is hereby amended to read as follows:

**Section 403.03 Regulations by Director of Public Service**

(a) The Director of Public Service is hereby authorized to adopt regulations as follows:

(1) Designating streets or parts of streets upon which stopping, standing or parking of vehicles is prohibited at all times, prohibited during certain hours or limited for a specified time period.

(2) Designating streets or parts of streets as fire lanes or snow emergency streets with parking prohibited as provided in Section 451.15 and 451.17.

(3) Designating streets or parts of streets upon which vehicular traffic shall move in only one direction.

(4) Designating streets or parts of streets upon which commercial units are prohibited or restricted to a specified weight.

(5) Closing temporarily any street or portion thereof or restricting the use thereof when required by public safety or convenience.

(6) Prohibiting or requiring left-hand turns by vehicles at designated intersections or other locations, and exempting RTA vehicles from such prohibitions.

(7) Designating streets, parts thereof or other locations for angle parking.

(8) Designating stop or yield intersections.

(b) No such regulation shall permit parking in any of the places prohibited by this Traffic Code, nor shall any such regulation limiting the time of parking or prohibiting parking be deemed to apply on Sundays, holidays, other than Saturday afternoon or between the hours of 6:00 p.m. and 7:00 a.m., unless the regulations and the sign evidencing the same specifically so state. Regulations shall become effective ten days after publication in the City Record and upon the erection of signs sufficient in number to apprise the ordinarily observant person of the existence of the regulation, and shall continue to have the force and effect of ordinances until rescinded by the director or disapproved by ordinance of Council. However, before adopting any regulation the Director shall notify in writing council members from each ward which are to be affected by such proposed regulation at least thirty days prior to the adoption of such proposed regulation. If the proposed regulation meets with the disapproval of any councilman, then

such regulation shall not be adopted. The provisions of the Traffic Code in effect at the date of passage of this Traffic Code shall be deemed to be regulations adopted under this section and shall continue in full force and effect as such regulations until changed in the manner provided herein. Violations of such regulations so adopted and published shall be subject to the penalties prescribed in Section 403.99.

(c) Council members affected by any proposed regulation of the Director may waive in writing the thirty days' notice required by **division (b)** hereof and request that such proposed regulation be published in the next succeeding issue of the City Record in order that the regulation may become effective ten days after such publication on posting of signs as required by **division (b)** hereof.

**Section 7.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, Section 403.03 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, is hereby repealed.

**Section 8.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, Section 403.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1495-87, passed November 23, 1987, is hereby amended to read as follows:

**Section 403.06 Powers of Commissioner of Traffic Engineering and Commissioner of Streets**

(a) The Commissioner of Traffic Engineering is hereby authorized to supervise erection and maintenance of traffic control devices as required by this Traffic Code and as the **Commissioner of Traffic Engineering** may deem necessary to regulate, guide or warn traffic, which are consistent with the provisions of this Traffic Code. All traffic control devices placed pursuant to the provisions of this Traffic Code shall conform to the Ohio Manual of Uniform Traffic Control Devices for Streets and Highways, as set forth in RC 4511.09.

(b) The Commissioner of Traffic Engineering is hereby authorized to:

(1) Designate by appropriate devices or markings upon the surface of the roadway, crosswalks at intersections and at such other places as he deems necessary. **The Commissioner of Streets shall place such devices and markings.**

(2) Establish safety zones of such kind and character and at such places as he deems necessary for the protection of pedestrians.

(3) Determine lanes for traffic at such places as he deems necessary. **The Commissioner of Streets shall mark such lanes on street pavements.**

(4) Determine the right and left side of laned streets. **The Commissioner of Streets shall mark the center line of such streets.**

(5) Establish temporarily a zone of quiet upon any street where a person is seriously ill if requested by the written statement of at least one registered physician certifying to its necessity. A temporary zone of quiet shall embrace all territory within a radius of 200 feet of the building occupied by the person

named in the request of the physician, and shall be designated by placing at a conspicuous place in the street a sign bearing the words "Quiet Zone," which sign shall be placed by the Commissioner of Streets.

(6) Determine the location of truck zones and placement of appropriate signs indicating such and stating the hours during which the provisions regarding truck zones are applicable.

(7) Designate by means of markers or signs placed above, within or adjacent to intersections, the lanes from which right or left turns only shall be made, or the lanes from which right or left turns may be made by vehicles turning at such intersections.

(8) Determine the location of loading and unloading zones where there are physically recessed areas from the street provided for loading and unloading and when no parking is permitted within the block. The appropriate signs indicating such and stating the hours during which the provisions regarding such loading and unloading zones are applicable shall be placed and maintained by the Commissioner of Streets.

(9) Determine the location of taxicab stands signs indicating such and stating the prohibitions or provisions relative thereto shall be placed and maintained by the Commissioner of Streets.

(10) Establish parking meter zones on streets or parts thereof where parking meters shall be installed and maintained by the Division of Parking Facilities, and where parking shall be regulated by the provisions of Chapter 453.

(11) Establish criteria for the installation of traffic control signals at private accessways. All costs relative to such installations shall be borne by the industrial or commercial establishment or other traffic generator or any part or combination thereof who benefits from such installation.

**Section 9.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, Section 403.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1495-87, passed November 23, 1987, is hereby repealed.

**Section 10.** That upon a vacancy in the office of the Commissioner of Traffic Engineering, the Director of Public Service, upon the concurrence of the Board of Control as required by Sections 77 and 79 of the Charter of the City of Cleveland, may discontinue the Division of Traffic Engineering and the office of the Commissioner of Traffic Engineering and substitute therefor a Section of Traffic Engineering under the administration and control of a Chief. In such case, Sections 131.17 and 131.18, as those sections may be amended, would be repealed. Section 131.06 would be amended to include the duty of supervising and directing the Section of Traffic Engineering and all of the duties assigned to that Section and Section 131.061 would be enacted to outline the duties of the Section of Traffic Engineering and its Chief, which duties would be the current duties of the Division of Traffic Engineering and the Commissioner of Traffic Engineering, as follows:

**Section 131.06 Duties of Commissioner of Engineering and Construction**

The Commissioner of Engineering and Construction shall prepare or cause to be prepared all surveys, maps, plats, plans, drawings, estimates and engineering specifications necessary for public improvements, works and undertakings under the charge of the Department of Public Service other than buildings, and render similar service to other departments of the City government upon requisition from such departments, approved by the Director of Public Service. He shall have charge of making the City boundaries where the same shall be necessary; the numbering of lots and houses; the construction, maintenance and repair of sidewalks; the planning, construction, improvement, repair and maintenance and operation of bridges and viaducts; the supervision and direction of the Section of Traffic Engineering and all of the duties assigned to that section; the construction and repair of sewers pertaining to streets and freeways, subject to the approval of the Director of Public Utilities; and the supervision and inspection of construction of sewers. He shall further perform all duties required of him by ordinance or by the Director of Public Service. He is hereby designated the Platting Commissioner of the City as the same is provided for in Charter Section 171.

**Section 131.061 Section of Traffic Engineering**

There is hereby established a Section of Traffic Engineering in the Division of Engineering and Construction in the Department of Public Service, to be administered and controlled by a Chief, to be subject to the supervision and direction of the Commissioner of Engineering and Construction. The function of the Section shall be to prepare drawings, standards and specifications; determine parking restrictions; set up time-space progressive movement signal charts; lay out parking restriction zones including, but not limited to, establishing parking meter zones on streets or parts thereof where parking meters shall be installed; lay out roadway markings; check plans for street changes, permits and all matters bearing on traffic safety; receive complaints, suggestions and partitions; make personal observations of traffic confusion and hazards; make factual studies from spot maps, collision and condition diagrams; make vehicle studies, speed studies, pedestrian studies, obedience checks, special observations, and parking studies; prepare and disseminate accident statistics; watch accident records, spot maps and high accident area lists; cooperate with safety organizations; submit detailed recommendations; prepare detailed plans and specifications; prepare publicly for proposed changes; follow through to see that recommendations are carried out; make rechecks after changes have been made. The Section of Traffic Engineering and its Chief shall perform such other and further duties as Council or the Mayor from time to time may require of him.

**Section 11.** That at the time that the Director of Public Service may discontinue the Division of Traffic Engineering and the office of the Commissioner of Traffic Engineer-

ing, with the concurrence of the Board of Control, any references in the Codified Ordinances to the Division of Traffic Engineering or Commissioner of Traffic Engineering shall be amended to read Section of Traffic Engineering or Section Chief of Traffic Engineering, respectively.

**Section 12.** That the concurrence of the Board of Control, both at the time of the passage of this ordinance and at the time that the Director of Public Service may choose to discontinue the Division of Traffic Engineering and the Office of the Commissioner of Traffic Engineering, shall be evidenced by a certified copy of the resolution of the Board of Control duly filed with the Clerk of Council by the Secretary of the Board of Control immediately upon the adoption of such concurring resolution, which resolution shall be attached by the Clerk of Council to this ordinance.

**Section 13.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**Ord. No. 1950-98.**

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

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62 and 135.63 thereof, relating to transferring the Division of Correction from the Department of Public Health to the Department of Public Safety; to amend Sections 135.01 and 141.02, as amended by various ordinances; and to repeal existing Sections 141.06, 141.07, 141.071, 141.072, 141.08, 141.081 and 141.09, as amended by various ordinances relating to the Division of Correction.**

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 upon the concurrence of the Board of Control, as required by Section 77 and 79 of the Charter of the City of Cleveland, the Division of Correction in the Department of Public Health is transferred to the Department of Public Safety, and for such purposes the Codified Ordinances of Cleveland, Ohio, 1976, are hereby supplemented by enacting new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62 and 135.63 thereof, to read, respectively, as follows:

**Section 135.57 Division of Correction: Duties of Commissioner**

(a) There is hereby established in the Department of Public Safety a Division of Correction, to be administered and controlled by a Commissioner of Correction subject to the provisions of the Charter and ordinances of the City, and to the supervision and direction of the Director of Public Safety.

(b) The Commissioner shall have the charge and management of such bureaus as are or may be established within such Division, including but not limited to the House of Correction or Workhouse.

**Section 135.58 Reimbursement for Confinement Costs**

(a) A person who is convicted of an offense other than a minor misdemeanor and who is sentenced to confinement in the Workhouse or home detention shall reimburse the City for its expenses incurred by reason of his or her confinement or home detention, including, but not limited to, the expenses relating to the provision of food, clothing, medical care and shelter and home detention. It shall be determined by a Court at a hearing held pursuant to R.C. 2929.223 whether the offender is able to reimburse the City and the amount, if any, that the offender is able to pay without undue hardship to the offender or his or her dependents, or without preventing him or her from making restitution or reparation to the victim of the offense. No person shall be required to reimburse the City if that person has a household income from all sources for the previous twelve (12) months equal to one hundred fifty percent (150%) of the federal poverty level or less.

(b) Pursuant to Section 83 of the Charter and in accordance with division (B) of RC 753.04, the Director of Law may institute an appropriate civil action in the name of the City in the Cuyahoga County Court of Common Pleas to recover from the convict the reimbursement for the expenses of his or her confinement in the Workhouse as determined by the Court pursuant to RC 2929.223.

**Section 135.59 Inmate Labor**

The Commissioner of Correction may require persons sentenced to confinement in the House of Correction to perform appropriate labor within the House of Correction, on its grounds, or at any other facility or project owned or operated by the City of Cleveland, the United States of America, or the State of Ohio, and any of its political subdivisions.

**Section 135.60 Contracts with Governments for Care of Persons at Institutions**

The Director of Public Safety, upon the recommendation of the Commissioner of Correction, is hereby authorized to enter into contracts with the United States, the State or any county, city, village or other political subdivision in the State, for the reception and care of persons at any of the institutions under the jurisdiction of the Commissioner, who are wards or the legal responsibility of the governmental body or agency thereof upon such terms and conditions as the Board of Control shall determine. In no event shall such service be rendered at less than actual cost as determined by the Commissioner of Accounts after giving full consideration to all proper items of interest, depreciation and overhead, nor shall any such contract be made upon terms less favorable to the City than in similar contracts for services to be rendered the City by such other governmental unit or agency. Every such contract shall provide for cancellation thereof by either party upon sixty (60) days' written notice to the other of the intention to cancel such contract.

**Section 135.61 Home Detention Program; Contract Authority**

The Director of Public Safety is hereby authorized to enter into contracts, on an as needed basis, with professional corrections consulting and management organizations for the purpose of providing professional services necessary to establish and operate a home detention program for the Cleveland House of Correction. The contracts herein authorized shall be prepared by the Director of Law, approved by the Director of Public Safety and certified by the Director of Finance.

**Section 135.62 Uniforms for Correctional Officers**

(a) The Director of Public Safety shall designate the uniforms to be worn and establish regulations relating thereto for such correctional officers as he may deem it necessary to require to wear uniforms.

(b) The Director is hereby authorized and directed in the manner prescribed in the Charter to enter into a requirement contract for the furnishing of the prescribed uniform, chargeable to the appropriation made annually for such purpose.

(c) The Director is hereby authorized to issue a purchase requisition against any such contract for all or any of the uniform equipment. Each such requisition shall provide that the individual shall pay the cost of the cloth and all other supplies required for such uniform. The order issued shall be certified only in the amount of the cost of making such uniform based upon the contract. The cost of such uniform borne by the City shall not be deemed to be part of the compensation of such individual.

**Section 135.63 Treatment of Indigent Alcoholics, Drug Addicts**

The Director of Public Safety shall have the authority to accept at the House of Correction without a commitment from a court, any indigent resident of Cleveland who is in need of treatment for the cure of the drug or intoxicating liquor habit, when the other resources of the City are inadequate or unavailable therefor. For the purpose of such treatment, he may permit any indigent prisoner, resident of Cleveland, who so requests, to remain after the expiration of his sentence. Every application for admission or for permission to remain after expiration of sentence, for the purpose of such treatment, shall be on a form to be approved by the Director, and shall contain an affidavit by the applicant that he is a resident of Cleveland and is indigent. No such application shall be granted until the need for treatment has been ascertained and certified to by the examining doctor who shall be in the employ of the City. Such certificate shall be filed with the original application in the Department of Public Safety. Any such permit to receive treatment for the drug or intoxicating liquor habit at the House of Correction may be revoked at any time by the Director when, in his opinion, the needs of the individual or the public are best served by so doing.

**Section 2.** That, upon the concurrence of the Board of Control, as required by Section 77 and 79 of the Charter of the City of Cleveland, the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 141.06, as enacted by Ordinance No. 97006, passed April 4, 1932,

Section 141.07, as amended by Ordinance No. 2422-90, passed April 8, 1991,

Section 141.071, as amended by Ordinance No. 1559-90, passed March 18, 1991,

Section 141.072, as amended by Ordinance No. 2303-90, passed January 28, 1991,

Section 141.08, as amended by Ordinance No. 2422-90, passed April 8, 1991,

Section 141.081, as amended by Ordinance No. 570-91, passed May 20, 1991, and

Section 141.09, as amended by Ordinance No. 745-66, passed April 25, 1966, are hereby repealed.

**Section 3.** That upon the concurrence of the Board of Control, as required by Section 77 of the Charter of the City of Cleveland, the duties of the Director of Public Safety are hereby amended, and for such purpose Sections 135.01 and 141.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance No. 919-A-42, passed August 31, 1942, and Ordinance No. 1615-72, passed November 13, 1972, are amended to read as follows:

**Section 135.01 Establishment; Duties of Director**

There is hereby established a Department of Public Safety, to be controlled and administered by a Director of Public Safety, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Mayor. The Director shall be the executive head of the police and fire forces of the City under the direction of the Mayor and he shall be the appointing authority thereof. The Director may appoint and employ such officers and employees as may be necessary for the operation of this office and the several divisions and activities comprising the Department, except officers and employees appointed by division heads other than the Chiefs of Police and Fire in accordance with the provisions of Charter Section 79. **The Director shall have power to receive persons sentenced or committed to penal and correctional institutions within the Public Safety Department from jurisdictions other than the City, and to release and parole all prisoners sentenced or committed to penal or correctional institutions within the Public Safety Department, except prisoners of the Federal government.**

**Section 141.02 Powers and Duties of Director**

The Director of Public Health shall have charge of and general supervision and control over divisions and bureaus established in the Department of Public Health. He shall have power to authorize, approve and accept the rendition of voluntary services to the benefit of and without cost to the City and its citizen by medical and paramedical and other volunteer personnel. He shall have such additional duties as may be required by ordinance.

**Section 4.** That upon the concurrence of the Board of Control, as required by Section 77 of the Charter of the City of Cleveland, the duties of the Director of Public Safety are hereby amended, and for such purpose Sections 135.01 and 141.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance No. 919-A-42, passed August 31, 1942, and Ordinance No. 1615-72, passed November 13, 1972, are repealed.

**Section 5.** That concurrence of the Board of Control shall be evidenced by a certified copy of the resolution of the Board of Control duly filed with the Clerk of Council by the Secretary of the Board of Control immediately upon the adoption of such concurring resolution, which resolution shall be attached by the Clerk of Council to this ordinance.

**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 Public Safety, Public Health, Finance, Law; Committees on Public Safety, Public Health, Legislation, Finance.

**Ord. No. 1951-98.**

**By Councilmen Coats and Johnson (by departmental request).**

**An emergency ordinance authorizing the Secretary of the Civil Service Commission to enter into contract with Coleman & Associates to perform a job analysis and develop, administer and grade police entrance examinations for the Division of Police, Department of Public Safety.**

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

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

**Section 1.** That the Secretary of the Civil Service Commission is hereby authorized to enter into contract with Coleman & Associates for professional services necessary to perform a job analysis and develop, administer, and grade police entrance examinations for the Division of Police, Department of Public Safety, on the basis of its proposal dated April 22, 1998, in the total sum of \$101,400.00, payable in three phases of \$33,800 each and payable from Fund No. 01-01-08-0320, Request No. 20341, for the Civil Service Commission.

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

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

**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.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to 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 supplies needed for care and feeding of horses in the Mounted Unit of the Division of Police in the approximate amount as purchased during the preceding year, with one (1) option exercisable by the Director of Public Safety, to renew for an additional one-year consecutive term, and cancellable upon thirty days written notice by said director, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Police, 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 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 24386)

**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. 1953-98.**

**By Councilmen Coats and Johnson (by departmental request).**

**An emergency ordinance authorizing the Secretary of the Civil Service Commission to enter into contract with Barrett & Associates to perform a job analysis and develop, administer and grade firefighter entrance examinations for the Division of Fire, Department of Public Safety.**

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

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

**Section 1.** That the Secretary of the Civil Service Commission is hereby authorized to enter into contract with Barrett & Associates for professional services necessary to perform a job analysis and develop, administer, and grade firefighter entrance examinations for the Division of Fire, Department of Public Safety, on the basis of its proposal dated February 20, 1998, in the total sum of \$91,720.00, payable in three phases of \$30,573.33 each and

payable from Fund No. 01-01-08-0320, Request No. 20342, for the Civil Service Commission.

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

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

**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.**

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to make a written requirement contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the period of one year for the necessary items of various types of safety equipment as set forth in detail on the attachment to Request No. 22779 on file in the office of the Division of Purchases and Supplies, in the estimated sum of \$838,206.00, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of the 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 one year may be taken if deemed desirable by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire 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 22779)

**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. 1955-98.**  
**By Councilmen 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 the northwest corner of East 131st Street and Iroquois Avenue to Umstead Management & Construction Company.**

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use located at the northwest corner of East 131st Street and Iroquois Avenue; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

PPN: 110-15-022

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being the Westerly part of Sublot Number 118 in the Stewart, Frisbie, and Ford Subdivision of part of Original One Hundred Acre Lots Number 373, 381 and 382 as shown by the recorded plat in Volume 27 of Maps, Page 5 of Cuyahoga County Records and bounded and described as follows;

Beginning at a point in the Northerly line of Iroquois Avenue N.E. (40 feet wide), at the Southwesterly corner of said Sublot Number 118 in said Subdivision;

Thence Easterly, along said Northerly line of Iroquois Avenue N.E., about 6.23 feet, but to the Westerly line of East 131st Street, (40 feet wide);

Thence Northerly along said Westerly line of East 131st Street, 90 feet to a point in the Northerly line of said Sublot Number 118;

Thence Westerly, along said Northerly line of Sublot Number 118, about 6.23 feet to the Northwesterly corner thereof;

Thence Southerly, along the Westerly line of said Sublot Number 118, 90.00 feet to the place of beginning as appears by said plat, be the same more or less, but subject to all legal highways.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Umstead Management & Construction Company at a price not less than fair market value as determined by the Board of Control.

**Section 3.** That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**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 Parks, Recreation and Properties, City Planning Commission, Finance, Law; Committees on Parks, Recreation and Properties, City Planning, Finance.

**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 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.

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

**Ord. No. 1957-98.**

**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 3709 East 57th Street to Broadway Area Housing Coalition or designee.**

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). 131-37-087, as more fully described in Section 2 below, to Broadway Area Housing Coalition or designee.

**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. 131-37-087

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 187 in Hubbard Cooke, Trustee's Allotment of part of Original One Hundred Acre Lots Nos. 317 and 321, as shown by the recorded plat of said Allotment in Volume 6 of Maps, Page 21 of Cuyahoga County Records, said Sublot No. 187 has a frontage of 40 feet on the Easterly side of East 57th Street (formerly Vergennes Street) and extends back of equal width 140 feet, as appears by said plat, be the same more or less, but subject to all legal highways.

Subject to Zoning Ordinances, if any.

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

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

**Section 5.** That the conveyance authorized hereby shall be made by

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

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

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

**Ord. No. 1958-98.**  
**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 8303 Goodman Avenue to Eric J. Stopar.**

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). 134-14-070, as more fully described in Section 2 below, to Eric J. Stopar.

**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. 134-14-070

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 7 in the Goodman Subdivision of part of Original One Hundred Acre Lots Nos. 463 and 464 as shown by the recorded plat in Volume 24 of Maps, Page 3 of Cuyahoga County Records, and being 35 feet front on the Northerly side of Goodman Avenue, S.E., and extending back of equal width 121.60 feet 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 3.** That all documents necessary to complete the conveyance authorized by this ordi-

nance 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. 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, Department of Development to assist in roadwork improvements on South Waterloo Road at Collinwood Yards Industrial Park.**

Whereas, the Roadwork Development Fund was established by Amended Sub. H.B. 107 for the purpose of funding the design, upgrade and/or construction of public roadways serving commercial or industrial economic development projects; and

Whereas, the City of Cleveland wishes to apply for and accept funds from the Roadwork Development Fund to undertake and complete applicable economic development projects in 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 Director of Economic Development is hereby authorized to apply for and accept a grant in the amount of \$62,000, from the State of Ohio, Department of Development, to assist in the construction and engineering of roadwork improvements on South Waterloo Road at Collinwood Yards Industrial Park, and for the purposes set forth in the application and according thereto; that the Director of Eco-

nomic Development 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. 1959-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**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.**

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 1012-98, passed June 15, 1998, are hereby amended to read, respectively, as follows:

An emergency ordinance authorizing the Director of Economic Development to enter into a contract with **Sords Holdings, Ltd.** to provide economic development assistance to purchase and renovate real property located at 12911 Taft Avenue, Cleveland, Ohio.

**Section 1.** That the Director of Economic Development is hereby authorized to enter into a contract with **Sords Holdings, Ltd.** to provide economic development assistance to **partially finance the purchase and renovation of real property located at 12911 Taft Avenue, Cleveland, Ohio.**

**Section 2.** That the existing title and Section 1 of Ordinance No. 1012-98, passed June 15, 1998, are hereby repealed.

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

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

**Ord. No. 1962-98.****By Councilman Sweeney.**

**An emergency ordinance to amend Sections 337.23 and 350.13 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, respectively, by Ordinance Nos. 1271-91, passed October 21, 1991, and 3076-A-89, passed December 10, 1990, relating to accessory uses and signs in residence districts.**

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 the Codified Ordinances of Cleveland, Ohio, 1976:

Section 337.23, as amended by Ordinance No. 1271-91, passed October 21, 1991, and

Section 350.13, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, are hereby amended to read as follows:

**Section 337.23 Accessory Uses in Residence Districts**

(a) Permitted Accessory Uses. The following accessory uses and buildings are permitted in a Residence District. Such permitted accessory buildings shall be located on the rear half of the lot, a minimum of eighteen inches from all property lines and at least ten feet from any main building on an adjoining lot in a Residence District. Accessory buildings shall not occupy more than forty percent (40%) of the area of the required rear yard and, in the case of a corner lot, shall be located back of any required setback or specific building line. For side street yard regulations consult Sections 357.05 to 357.07.

(1) Within a main building, the office of a surgeon, physician, clergyman, architect, engineer, attorney or similar professional person residing in such main building and employing in the office not more than one nonresident office or laboratory assistant.

(2) Customary home occupation for gain carried on in the main building or in a rear building accessory thereto and requiring only customary home equipment; provided that no nonresident help is employed for that purpose, no trading in merchandise is carried on and no personal physical service is performed and, in a Limited One-Family District or in a One-Family District, no sign or other outward evidence of the occupation is displayed on the premises.

(3) In agricultural or undeveloped territory, farms, truck gardens, nurseries or greenhouses, and accessory stables, poultry enclosures, rabbit warrens and beehives conforming to the applicable limitations and restrictions included in Section 347.02, provided such enterprise is not operated for the sale of products not produced on the premises.

(4) Stables or enclosures for not more than four horses, and enclosures for poultry, pigeons, rabbits or bees, conforming in all locations to the applicable limitations and restrictions included in Section 347.02.

(5) Private incinerators for the burning of refuse and garbage produced on the same premises, provided that the construction is such as to assure immediate and complete combustion and freedom from offensive smoke, ash, unburned particles and odors, and a permit therefor is granted by the Commissioner of Environment.

(6) Except as provided in division (c)(7) of Section 349.13, a wall, fence or hedge within the limits of a required yard, provided that such wall, fence or hedge is not more than six feet six inches above the grade level of the land on both sides thereof when located immediately adjacent to the rear lot line, except where such rear lot line is also the side lot line of adjoining residential premises; and not more than six feet nor more than the least distance between such wall, fence or hedge and an existing or potential main building on an adjoining lot, above such grade level in another location. It is further provided that in the case of any parking lot authorized by ordinance or a variance granted thereon, an educational, religious, medical, community service or other similar institution a height of six feet six inches shall be permitted on any side.

(7) Garages and parking spaces for the occupants of the premises and, when the premises are used for other than residence purposes, for their employees, patrons and guests.

A. In a Dwelling House District the floor area of a private garage erected as an accessory building shall not exceed 650 square feet unless the lot area exceeds 4,800 square feet in which event the floor area may be increased in the ratio of one square foot for each twelve square feet of additional lot area.

B. In Multi-Family Districts, garages and parking spaces erected or established as accessory uses shall be subject to the restrictions specified in Sections 343.19 to 343.21 and Chapter 349.

**(8) Garage Sale or other Residential Property Sales, as defined in Section 676B.01(a), as long as they conform to the provisions in Chapter 676B.**

**(9) Signs permitted in accordance with the requirements of Chapter 350.**

**(10) Any other accessory use customarily incident to a use authorized in a Residence District except that no use prohibited in a Local Retail Business District shall be permitted as an accessory use.**

(b) Accessory Building Erected Prior to Erection of Main Building. An accessory building may be erected prior to the construction of the main building only if:

(1) The accessory building is erected on the rear half of the lot.

(2) The accessory building is so placed as not to prevent the practicable and conforming location of the main building.

(3) The main building is completed within two (2) years from the date of issuance of the permit for the accessory building.

**Section 350.13 Signs for Residential Districts**

Signs in Residential Districts and Residence-Office Districts, as well as signs for community facility uses permitted in these districts, shall be permitted as regulated below:

(a) Permitted Types, Number, Area and Height (Residential). Signs by use and structural type are permitted only in accordance with regulations presented in the schedule of Permitted Types, Number, Area and Height (Residential). Sign types not listed are prohibited except for political signs which are permitted as regulated in Section 350.11. Automatic changeable copy signs are prohibited in all Residence Districts. (All signs are permanent unless listed as temporary).

**SCHEDULE OF PERMITTED TYPES, NUMBERS, AREA, & HEIGHT  
(RESIDENTIAL)**

SIGN BY USE TYPE	LAND USE CATEGORIES			
	1-2 FAMILY DWELLING <sup>2</sup>	TOWNHOUSES (ROW HOUSES) <sup>3</sup>	MULTI-FAMILY APARTMENT <sup>4</sup>	COMMUNITY FACILITY
NAMEPLATE	TYPE: wall or free-standing #: 2 per dwelling unit SF: 2 Ht: 3'	TYPE: wall #: 1 per dwelling unit SF: 2	Not Permitted	Not Permitted
INFORMATION	TYPE: wall or free standing #: minimum necessary as approved by Building Commissioner	TYPE: wall or free standing #: minimum necessary as approved by Building Commissioner	TYPE: wall or free standing #: minimum necessary as approved by Building Commissioner	TYPE: wall or free standing #: minimum necessary as approved by Building Commissioner
IDENTIFICATION	TYPE: wall, free-standing or canopy #: 1 per vehicular entrance to a subdivision SF: 20 Ht: 6'	TYPE: wall, free-standing or canopy #: 1 per vehicular entrance SF: 20 Ht: 6'	TYPE: wall, free-standing or canopy #: 1 per vehicular entrance SF: 20 Ht: 6'	TYPE: wall, free-standing or canopy #: 1 per vehicular entrance SF: 40 Ht: 6'
DIRECTIONAL	Not Permitted	TYPE: wall or free standing #: minimum necessary as approved by Building Commissioner	TYPE: wall or free standing #: minimum necessary as approved by Building Commissioner	TYPE: wall or free standing #: minimum necessary as approved by Building Commissioner
REAL ESTATE (Temporary)	TYPE: free-standing or window #: 1 per lot SF: 6 Ht: 6'	TYPE: free-standing or window #: 1 per unit SF: 6 Ht: 6'	TYPE: wall, window or free-standing #: 1 per vehicular entrance	TYPE: wall, window or free-standing #: 1 per vehicular entrance
DEVELOPMENT (Temporary)	TYPE: free-standing #: 1 per vehicular entrance to a subdivision SF: 48 Ht: 10'	TYPE: wall, window or free-standing #: 1 per vehicular entrance	TYPE: wall, window or free-standing #: 1 per vehicular entrance	TYPE: wall, window or free-standing #: 1 per vehicular entrance
BULLETIN BOARD	Not Permitted	Not Permitted	Not Permitted	TYPE: wall or free-standing #: 1 per lot SF: 40 Ht: 6'

TYPE: Permitted sign by structural type  
#: Maximum number of signs  
SF: Maximum sign face area (in square ft.) per side of each sign  
Ht: Maximum height for free-standing signs

<sup>2</sup>One additional identification sign not exceeding 10 square feet in area shall be permitted for each apartment building in a complex of two (2) or more such buildings.

<sup>3</sup>In any One-Family or Two-Family Residential District, such signs are permitted only for subdivisions of at least ten (10) lots.

(b) Location (Residential). Signs are permitted for residential and community facility uses shall conform with the location regulations presented in the Schedule of Location Regulations (Residential) in addition to the regulations of Section §80.06.

**SCHEDULE OF LOCATION REGULATIONS (RESIDENTIAL)  
Free-standing Sign Types**

Minimum Distance From	Nameplate Political & Information	Identification	Real Estate* & Development	Bulletin Board
All Lot Lines Occupied 1-2 Family Dwelling	5'	20'	20'	25'
	—	35'	75'	—

\*Real estate signs for individual one-family, two-family and townhouse units shall be located a minimum distance of two (2) feet from every lot line and dwelling.

(a) Garage Sale and Open House Sign Regulations. Signs directing attention to a real estate open house or a sale of household items from a garage or house shall be permitted for one and two-family dwellings and townhouses (rowhouses) in accordance with the following regulations:

- (1) Maximum Number of signs one (1) per lot or townhouse unit.
- (2) Permitted Sign Types: window or free-standing.
- (3) Maximum Sign Area: four (4) square feet per sign.



- (4) Maximum Height four (4) feet for free-standing signs.  
 (5) Location five (5) feet minimum setback from every lot line.  
 (6) Display Period no more than three (3) day periods per year.  
 (d) Temporary Directional Signs Signs directing attention to a real estate open house, garage sale or home auction, for a single-family, two-family or townhouse unit, may be displayed as free-standing signs on tree lawn area in accordance with the following regulations:  
 (1) Maximum Number of Signs four (4) per event, with no more than two (2) per block for any single event.  
 (2) Maximum Sign Area two (2) square feet per sign.  
 (3) Maximum Height three (3) feet.  
 (4) Location at least one (1) foot from curb and sidewalk and only on corner lot or at street intersections.  
 (5) Display Period only on the days of the event and not more than three (3) 3-day periods per year for garage sale and home auctions and not more than two (2) days per week for open house events.  
 (6) Content Temporary directional signs shall be displayed only with the consent of the owner of the property that immediately adjoins the tree lawn on which the sign is to be placed.

(e) Signs or Accessory Business Uses. In any Multi-Family Residential District, a business or home occupation permitted as an accessory use may be identified by means of a permitted nameplate sign. Such sign may be displayed as either a wall or window sign not exceeding two (2) square feet in area and illuminated, if at all, by reflected light from a light source which is not visible from beyond the subject lot. No such signs, however, shall be permitted in an One-Family or Two-Family Residential District.

(f) Office Buildings. Signs for office buildings in Residence-Office Districts shall be permitted in accordance with the regulations for retail uses as provided in Section 350.14.

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

Section 337.23, as amended by Ordinance No. 1271-91, passed October 21, 1991, and

Section 350.13, as amended by Ordinance No. 3076-A-89, passed December 10, 1990, are hereby repealed.

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

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

#### FIRST READING EMERGENCY RESOLUTIONS REFERRED

**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.**

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

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

**Section 1.** That for the public purpose of realigning Aetna Road at Broadway Avenue, it is necessary to appropriate in fee simple interest and this Council hereby declares its intent to appropriate the fee simple interest in and to the following described property:

Permanent Parcel No. 132-05-002  
6801 Broadway Avenue

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. 318, bounded and described as follows:

Beginning on the Southwesterly side of Aetna Road, S.E. (40 feet wide), at the most Northerly corner of Parcel No. 2 conveyed to Wanda Jean Nowak by deed dated May 10, 1956, and recorded in Volume 8639, Page 114 of Cuyahoga County Records;

Thence Southwesterly along the Northwesterly line of said Parcel No. 2, 107.06 feet to the most Northerly corner of Parcel No. 1 so conveyed to Wanda Jean Nowak in said deed;

Thence Southwesterly along the Northwesterly line of said Parcel No. 1 so conveyed, 102.94 feet to the Northeastly side of Broadway, S.E.;

Thence Northwesterly along said Northeastly side, 268.65 feet to the most Southerly corner of a parcel of land conveyed to Caroline Mental by deed dated April 21, 1927, and recorded in Volume 3463, Page 35 of Cuyahoga County Records;

Thence Northeastly along the Southeastly line of said parcel so conveyed 60.735 feet to the most

Westerly corner of a parcel of land conveyed to American Telephone and Telegraph Company by deed dated November 28, 1952, and recorded in Volume 7661, Page 194 of Cuyahoga County Records;

Thence Southeastly along the Southwesterly line of said Parcel so conveyed, 20 feet to the most Southerly corner thereof;

Thence Northeastly along the Southeastly line of said parcel so conveyed, 30 feet to the Southwesterly side of Aetna Road, S.E.;

Thence Southeastly along said Southwesterly side, 248 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Finance is hereby authorized and directed to cause written notice of the adoption of this resolution to be given to the owners, persons in possession or having an interest of record in the above-mentioned premises, and such notice shall be served according to law by a person to be designated for that purpose by the Director of Finance which return shall be made in the manner provided by law.

**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.

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

**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.**

Whereas, this Council is satisfied that there is good cause to vacate all those portions of West 42nd

Street, West 44th Place, and Stardale Court S.W. as hereinafter described, and

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

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

**Section 1.** That it hereby declares its intention to vacate all those portions of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all that portion of WEST 42ND STREET (12.00 feet wide) extending Southerly from the Southerly line of Woodbridge Avenue S.W. (60.00 feet wide) to the Easterly prolongation of the Northerly line of Stardale Court S.W. (12.00 feet wide), and being known as all that portion of WEST 44TH PLACE (12.00 feet wide) extending Southerly from the Southerly line of Woodbridge Avenue S.W. (60.00 feet wide) to the Westerly prolongation of the Northerly line of Stardale Court S.W. (12.00 feet wide), and being known as all that portion of STARDALE COURT S.W. (12.00 feet wide) and its associated turnouts extending Westerly from the Southerly prolongation of the Easterly line of West 42nd Street (12.00 feet wide) to the Southerly prolongation of the Westerly line of West 44th Place (12.00 feet wide).

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

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

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

**Ord. No. 1965-98.**

**By Councilman Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1641, 1645 East 84th Street and 8403 Linwood Avenue to Freddie Love and Olivia Love.**

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). 106-23-110, 106-23-111 and 106-23-151, as more fully described in Section 2 below, to Freddie and Olivia Love.

**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. 106-23-110

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 and bounded and described as follows:

Beginning at a point 484 feet Westerly from the Westerly line of East 86th Street (formerly Marcy Avenue) and 1428 17/100 feet Southerly from the Southerly line of Wade Park Avenue, N.E., said point being in the Easterly line of a proposed 44 feet street called East 84th Street (formerly Van Ness Avenue), thence Northerly parallel with East 86th Street and along the Easterly line of said East 84th Street, 40 feet; thence Easterly parallel with Wade Park Avenue, N.E., 102 feet; thence Southerly, parallel with East 86th Street, 40 feet; thence Westerly, parallel with East 84th Street, 102 feet to the place of beginning and being further known as Sublot No. 35 in L.M. Southern's proposed Wade Park Allotment of part of Original One Hundred Acre Lots Nos. 383 and 391, be the same more or less, but subject to all legal highways.

P.P. No. 106-23-111

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 the intersection of the Easterly line of East 84th Street (formerly Van Ness Avenue) with the Northerly line of Linwood Avenue, N.E., (formerly Stanley Avenue); thence Northerly along the Easterly line of East 84th

Street, 40 feet; thence Easterly and parallel with the Northerly line of Linwood Avenue, N.E., 60 feet to the Northwesterly corner of land conveyed to Jack Pettit and Lois Pettit by deed dated April 9, 1943, and recorded in Volume 5497, Page 567 of Cuyahoga County Records; thence Southerly along the Westerly line of land so conveyed to Jack and Lois Pettit, 40 feet to the Northerly line of Linwood Avenue, N.E.; thence Westerly along the Northerly line of Linwood Avenue, N.E., 60 feet to the place of beginning, and being further known as part of Parcel No. 34 but in L.N. Southern's Subdivision proposed, be the same more or less, but subject to all legal highways.

P.P. No. 106-23-151

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 Northerly line of Linwood Avenue, N.E., at a point distant 60 feet Easterly, from the intersection of the Easterly line of East 84th Street, with the Northerly line of Linwood Avenue, N.E.; thence Northerly along a line parallel with said Easterly line of East 84th Street, 40 feet; thence Easterly, parallel with the said Northerly line of Linwood Avenue, N.E., 42 feet; thence Southerly, parallel with said Easterly line of East 84th Street, 40 feet to said Northerly line of Linwood Avenue, N.E.; thence Westerly, along said Northerly line of Linwood Avenue, N.E., 42 feet to the place of beginning, and being further known as part of Parcel 34, in L.M. Southern Proposed Subdivision, of part of Original One Hundred Acre Lots Nos. 383 and 391, be the same more or less, but subject to all legal highways.

Subject to right-of-way in deed from Bina Coit to Jack Pettit and Lois Pettit, filed for record April 14, 1943 at 11:16 a.m. and recorded in Volume 5497, Page 567 of Cuyahoga County Records

Subject to Zoning Ordinances, if any.

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

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

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

**Section 6.** That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

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. 1966-98.**

**By Councilman Lewis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1629 and 1633 East 84th Street to 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). 106-23-107 and 106-23-108, as more fully described in Section 2 below, to 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. 106-23-107

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 in the Easterly line of East 84th Street (formerly Van Ness Avenue), (said Easterly line being parallel with and distant Westerly 484 feet from the Westerly line of East 86th Street, (formerly Marcy Avenue), distant Southerly along said Easterly line 1268.17 feet from the Southerly line of Wade Park Avenue, N.E.; thence continuing Southerly along said Easterly line, 40 feet; thence Easterly parallel with the Southerly line of Wade Park Avenue, N.E. 102 feet; thence Northerly parallel with said Easterly line 40 feet; thence Westerly 102 feet to the place of beginning and being further known as Parcel No. 80 in L.M. Southern's proposed Wade Park Allotment of part of Original One Hundred Acre Lot Nos. 383 and 391.

Subject to zoning ordinances, if any.

**P.P. No. 106-23-108**

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 on the Easterly line of East 84th Street (formerly Van Ness Avenue), at a point 1,308.17 feet Southerly, measured along said Easterly line of East 84th Street, from the Southerly line of Wade Park Avenue, N.E.; thence Southerly along said Easterly line of East 84th Street, 40 feet; thence Easterly parallel with the Southerly line of Wade Park Avenue, N.E., 102 feet; thence Northerly parallel with the Easterly line of East 84th Street, 40 feet; thence Westerly parallel with the Southerly line of Wade Park Avenue, N.E., 102 feet to the place of beginning, and being further known as Parcel No. 49 in L.M. Southern's proposed Wade Park Allotment of part of Original One Hundred Acre Lots Nos. 383 and 391, 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.

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. 1967-98.**

**By Councilman Willis.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 806 and 802 Eddy Road to Northeastern Neighborhood Development Corporation or designee.**

Whereas, the City of Cleveland has elected to adopt and implement the procedures under Chapter 5722 of the Ohio Revised Code to 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). 110-10-056 and 110-10-055, as more fully described in Section 2 below, to Northeastern Neighborhood Development Corporation or designee.

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

**P.P. No. 110-10-056**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 6 and 7 in the Boulevard Drive Subdivision No. 1 of part of Original One Hundred Acre Lot No. 372, as shown by the recorded plat of said Subdivision in Volume 55 of Maps, Page 12 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning on the Southwesterly line of Eddy Road, N.E., at a point distant 7 feet Northwesterly from the Southeasterly corner of said Sublot No. 7; thence Northwesterly along said Southwesterly line of Eddy Road, N.E., 47 feet; thence Southwesterly parallel to the Southeasterly line of said Sublot No. 6, about 115.88 feet to the Southwesterly line of said Sublot No. 6; thence Southeasterly along the Southwesterly line of said Sublots Nos. 6 and 7, about 47.05 feet to a point where a line drawn parallel to the Southeasterly line of said Sublot No. 7 from the place of beginning would intersect said Southwesterly line of Sublot No. 7; thence Northeasterly about 117.94 feet to the place of beginning, as appears by said plat.

Subject to Easements recorded in Volume 3335, Page 382 and in Volume 6452, Page 647 of Cuyahoga County Records.

Also subject to all zoning ordinances, if any.

**P.P. No. 110-10-055**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all of Sublot No. 8 and part of Sublot No. 7 in the Boulevard Drive Subdivision No. 1 of part of Original One Hundred Acre Lot No. 372, as shown by the recorded plat in Volume 55 of Maps, Page 12 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Southwesterly line of Eddy Road, N.E., at the Southeasterly corner of said Sublot No. 8; thence Northwesterly along said Southwesterly line of Eddy Road, N.E., 47 feet; thence Southwesterly parallel with the Southeasterly line of said Sublot No. 7, about 117.94 feet to the Southwest-

erly line thereof; thence Southeasterly along the Southwesterly line of said Sublots Nos. 7 and 8, about 47.05 feet to the Southwesterly corner of Sublot No. 8; thence Northeasterly along the Southeasterly line of Sublot No. 8, 120 feet to the place of beginning, 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.

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. 1968-98.**

**By Councilmen Willis and Johnson (by departmental request).**

**An emergency ordinance authorizing the purchase by requirement contract of youth ski lessons, for the Division of Recreation, Department of Parks, Recreation and Properties.**

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

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

**Section 1.** That 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 ski lessons for City of Cleveland youths in the estimated sum of \$20,000, 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 21109)

**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.

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

**Res. No. 1969-98.**

**By Councilman Britt.**

**An emergency resolution objecting to the issuance of a D4 Liquor Permit to 2614 E. 128th St.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the issuance of a D4 Liquor Permit to Permit No. 2400143, East Blvd. Athletic Club, 2614 E. 128th St., Cleveland, Ohio 44120; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, property, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit

must be received by the Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to the issuance of a D4 Liquor Permit to Permit No. 2400143, East Blvd. Athletic Club, 2614 E. 128th St., Cleveland, Ohio 44120 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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. 1970-98.**

**By Councilman Cimperman.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 6611 St. Clair Ave.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 04639680005, Ferdinand Baromir, DBA B-J Tavern, 6611 St. Clair, Cleveland, Ohio 44103, to Permit No. 4289654, Jimmie Richard, 6611 St. Clair Ave., Cleveland, Ohio 44103; 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 and D6 Liquor Permit from Permit No. 04639680005, Ferdinand Baromir, DBA B-J Tavern, 6611 St. Clair, Cleveland, Ohio 44103, to Permit No. 4289654, Jimmie Richard, 6611 St. Clair Ave., Cleveland, Ohio 44103 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.

**Res. No. 1971-98.**

**By Councilman Cimperman.**

**An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 5510 St. Clair Ave. & Gas Pumps.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Permit No. 3694682, Willie Haynes Sr., DBA Sohio BP Food Mart, 5510 St. Clair Ave. & Gas Pumps, Cleveland, Ohio 44103, to Permit No. 1115325, Burkanns Inc., 5510 St. Clair Ave. & Gas Pumps, Cleveland, Ohio 44103; 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 C1 Liquor Permit from Permit No. 3694682, Willie Haynes Sr., DBA Sohio BP Food Mart, 5510 St. Clair Ave. & Gas Pumps, Cleveland, Ohio 44103, to Permit No. 1115325, Burkanns Inc., 5510 St. Clair Ave. & Gas Pumps, Cleveland, Ohio 44103 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.

**Res. No. 1972-98.**

**By Councilman Coats.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 662 E. 140th 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 C2 and C2X Liquor Permit from Permit No. 4203700, Eman Jaffal, DBA E & K Food Deal, 662 E. 140th St., 1st Fl. & Bsmt., Cleveland, Ohio 44110, to Permit No. 5439362, Maisam Corp., DBA Four M Food Market, 662 E. 140th St., 1st Fl. & Bsmt., Cleveland, Ohio 44110; and

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

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

ordinances of this state or any other state; and

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Permit No. 4203700, Eman Jaffal, DBA E & K Food Deal, 662 E. 140th St., 1st Fl. & Bsmt., Cleveland, Ohio 44110, to Permit No. 5439362, Maisam Corp., DBA Four M Food Market, 662 E. 140th St., 1st Fl. & Bsmt., Cleveland, Ohio 44110 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.

**Res. No. 1973-98.**

**By Councilman Lewis.**

**An emergency resolution objecting to the transfer of ownership and location of a C2, C2X and D6 Liquor Permit to 9300 Wade Park, Unit A 38.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership and location of a C2, C2X and D6 Liquor Permit from Permit No. 8915888, 3600 Denison Ave. Inc., 3600 Denison Ave., 1st Fl., Cleveland, Ohio 44111, c/o Eugene Stevens, to Permit No. 0003588, AFD Grocery Inc., DBA WP Food, 9300

Wade Park Unit A 38, Cleveland, Ohio 44106; 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, more specifically, no previous and/or potential liquor permit holder should have a criminal conviction of any kind, including but not limited to, food stamp fraud or sale to underage minors; and

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership and location of a C2, C2X and D6 Liquor Permit from Permit No. 8915888, 3600 Denison Ave. Inc., 3600 Denison Ave., 1st Fl., Cleveland, Ohio 44111, c/o Eugene Stevens, to Permit No. 0003588, AFD Grocery Inc., DBA WP Food, 9300 Wade Park Unit A 38, Cleveland, Ohio 44106 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.

**Res. No. 1974-98.****By Councilman Melena.**

**An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 5004 Storer Ave., and repealing Res. No. 1826-98, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 5004 Storer Ave., by Res. No. 1826-98, adopted October 12, 1998; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 5004 Storer Ave., be and the same is hereby withdrawn and Res. No. 1826-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

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. 1975-98.****By Councilman Patmon.**

**An emergency resolution objecting to the transfer of location of a C1 and C2 Liquor Permit to 1144 E. 105th St.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of location of a C1 and C2 Liquor Permit from Permit No. 03455980001, Azzam Brothers Inc., 5603 Fleet Ave., 1st Fl., Cleveland, Ohio 44105, to Permit No. 75642110005, Royal Foods Inc., DBA Royal Eagle, 1144 E. 105th St., Cleveland, Ohio 44108; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of location of a C1 and C2 Liquor Permit from Permit No. 03455980001, Azzam Brothers Inc., 5603 Fleet Ave., 1st Fl., Cleveland, Ohio 44105, to Permit No. 75642110005, Royal Foods Inc., DBA Royal Eagle, 1144 E. 105th St., Cleveland, Ohio 44108 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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. 1977-98.****By Councilman Sweeney.**

**An emergency resolution objecting to the transfer of ownership of a D5A and D6 Liquor Permit to 4181 W. 150th St.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5A and D6 Liquor Permit from Permit No. 0754664, Blend All Hotel Development Inc., 4181 W. 150th St., Cleveland, Ohio 44135, to Permit No. 4041470, Hudson Hotels Corp., DBA Holiday Inn Airport, 4181 W. 150th St., Cleveland, Ohio 44135; 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 D5A and D6 Liquor Permit from Permit No. 0754664, Blend All Hotel Development Inc., 4181 W. 150th St., Cleveland, Ohio 44135, to Permit No. 4041470, Hudson Hotels Corp., DBA Holiday Inn Airport, 4181 W. 150th St., Cleveland, Ohio 44135 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.

**Res. No. 1978-98.****By Councilman White.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 4563 Warner Rd.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Permit No. 0339294, A & Z Food Mart Inc., DBA Dairy Mart #5-4401, 4563 Warner Rd., Cleveland, Ohio 44111, to Permit No. 2848404, 4563 Warner Inc., DBA Warner Mart, 4563 Warner Rd., Cleveland, Ohio 44105; 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 C1 and C2 Liquor Permit from Permit No. 0339294, A & Z Food Mart Inc., DBA Dairy Mart #5-4401, 4563 Warner Rd., Cleveland, Ohio 44111, to Permit No. 2848404, 4563 Warner Inc., DBA Warner Mart, 4563 Warner Rd., Cleveland, Ohio 44105 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.

**Res. No. 1979-98.**

**By Councilman White.**

**An emergency resolution objecting to the transfer of ownership of a C2, C2X and D6 Liquor Permit to 3916 E. 123rd St., 1st Fl.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a C2, C2X and

D6 Liquor Permit from Permit No. 7097656, Ranie Inc., DBA Ranie Food Market, 3916 E. 123rd St., 1st Fl., to Permit No. 0304786, Aswinia Inc., 3916 E. 123rd St., 1st Fl., Cleveland, Ohio 44105; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2, C2X and D6 Liquor Permit from Permit No. 7097656, Ranie Inc., DBA Ranie Food Market, 3916 E. 123rd St., 1st Fl., to Permit No. 0304786, Aswinia Inc., 3916 E. 123rd St., 1st Fl., Cleveland, Ohio 44105 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 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**

**Ord. No. 1644-97.**

By Councilman Jackson (by request).

An emergency ordinance authorizing the Director of Public Service to issue a permit to Ameritech to encroach into the public right-of-way of East 40th Street at Carnegie Avenue with an above-ground telephone equipment cabinet to provide services in this area.

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

**Ord. No. 1651-97.**

By Councilmen Jones, Johnson, Jackson, Rybka and Westbrook (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 in Block A of the Cleveland Industrial Park to Euro-USA, or its designee.

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

1. In Section 1, strike line 6 in its entirety and insert in lieu thereof the following:

**"Lee-Seville/Cleveland  
Outerbelt Industrial Park  
Block "A-2"**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Warrensville Township Lot No. 81, and being part of Block 'A' in the Lee-Seville/Cleveland Outerbelt Industrial Park as shown by the recorded plat in Volume 231 of Maps, Page 42 of Cuyahoga County Records, and further bounded and described as follows:

Beginning in the centerline of Velma Avenue, S.E. (50 feet wide) at its intersection with the centerline of Johnston Parkway, S.E. (60 feet wide);

Thence South 00° 27' 00" East along said centerline of Johnston Parkway, S.E., 399.35 feet to a point therein;

Thence Easterly, across Johnston Parkway, S.E., in a direct line to the South West corner of the land conveyed to Erieview Metal Treating Company and known as Sublot 1 in Lee-Seville/Cleveland Outerbelt Industrial Park Subdivision, which constitutes the principal place of beginning for the following described parcel:

Thence North 89° 34' 05" East along the Southerly line of the parcel so conveyed to Erieview Metal Treating Co., a distance of 650.00 feet to the Southeasterly corner thereof;

Thence South 00° 27' 00" East along the Southerly prolongation of the Easterly line of the parcel so conveyed to Erieview Metal Treating Co., a distance of 435.96 feet to its intersection with the Northerly line of Johnston Parkway, S.E.;

Thence North 89° 58' 10" West along the Northerly line of Johnston Parkway, S.E., a distance of 218.66 feet to a point of curvature therein;

Thence Northwesterly along the arc of a curve deflecting to the

right, an arc distance of 678.99 feet, said curve having a radius of 435.00 feet and a chord bearing North 45° 15' 10" West, 612.13 feet to the place of beginning.

Containing within said bounds, an area of 5,5800 acres of land, be the same more or less, but subject to all legal highways, easements and restrictions of record."

2. In the title, line 7; the first whereas clause, line 4; and Section 2, lines 3 and 4, strike "Euro-USA, or its designee" and insert in lieu thereof "West 25th Street Partners". Amendments agreed to.

**Ord. No. 1264-98.**

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

An emergency ordinance authorizing the Director of Community Development to transfer property described as property located on Marshall Avenue, to the control, possession and use of the Department of Parks, Recreation and Properties.

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

**Ord. No. 1265-98.**

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

An emergency ordinance authorizing the Director of Community Development to transfer property described as Permanent Parcel Nos. 004-02-036 and 004-02-037, to the control, possession and use of the Department of Parks, Recreation and Properties.

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

**Ord. No. 1600-98.**

By Councilman Cintron (by departmental request).

An emergency ordinance to vacate a portion of Stone Court N.W.

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

**Ord. No. 1610-98.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Boise Cascade Office Products to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to relocate and expand its facilities to 17909 Cleveland Parkway in the Cleveland Area Enterprise Zone.

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

1. In Section 3, at the end, strike the period and insert the following:

" , and further, that the terms shall not be amended nor shall said abatement be transferred without the approval of City Council's Community Development and Economic Development Committee."

Amendment agreed to.

**Ord. No. 1724-98.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said director to enter into contracts for the purchase of equipment and supplies necessary to implement the program.

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

**Ord. No. 1726-98.**

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 Department of Justice - Office for State & Local Domestic Preparedness for the State & Local Domestic Preparedness Equipment Support Program.

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

1. In the title, at the end, strike the period and insert the following: " , and to enter into contract for the purchase of equipment necessary to implement the Program."

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

"Section 3. That the Director of Public Safety is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for such materials and equipment necessary to implement the Program as the program is described in the application contained in the file, to be purchased by the Commissioner of Purchases and Supplies for a unit price, payable from the funds or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance."

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

Amendments agreed to.

**Ord. No. 1729-98.**

By Councilmen White, Jackson, 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 on Miles Avenue to Rite Aid of Ohio, Inc.; and reserving certain easement rights for the public purpose of ingress, egress and street widening.

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

**Ord. No. 1766-98.**

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

An emergency ordinance authorizing the Director of Public Health to

apply for and accept a grant from the Ohio Department of Health for the Infant Mortality Reduction (Initiative) Grant; and to enter into contract with Lutheran Metropolitan Ministry to implement the program.

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

1. Insert new Section 4 to read as follows:

"Section 4. That the Director of Public Health shall appear before the Committee on Public Health in March, 1999, to discuss the Infant Mortality Reduction (Initiative) Program's progress."

Amendment agreed to.

**Ord. No. 1812-98.**

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paper stock and envelopes, for the various divisions of City government.

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

**Ord. No. 1813-98.**

By Councilman Johnson (by departmental request).

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

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

**SECOND READING  
EMERGENCY RESOLUTIONS**

**Res. No. 1613-98.**

By Councilman Westbrook (by request).

An emergency resolution declaring the intention to vacate all that portion of Sommer Court, N.W.

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

**Res. No. 1614-98.**

By Councilman Rybka (by request).

An emergency resolution declaring the intention to vacate portions of Harvard Pl. S.E. and an Unnamed Alley West of Harvard Pl. S.E. and Northerly of Harvard Ave.

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

**Res. No. 1615-98.**

By Councilman Melena (by request).

An emergency resolution declaring the intention to vacate all that portion of West 62nd Place.

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

**Res. No. 1859-98.**

By Councilman Johnson (by departmental request).

An emergency resolution accepting the amounts and rates as determined by the Budget Commission



and authorizing the necessary tax levies certifying them to the County Auditor.

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

**Res. No. 1860-98.**

By Councilman Johnson (by departmental request).

An emergency resolution requesting the County Auditor to make tax advances during the year 1999, pursuant to Section 321.34, Ohio Revised Code.

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

**SECOND READING EMERGENCY ORDINANCE PASSED**

**Ord. No. 1769-98.**

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

An emergency ordinance authorizing the Director of Community Development to enter into contract with Karamu House for the repair of its building located at 2355 East 89th Street, CDEG Year XIV.

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

1. In Section 2, in lines 2 and 3, strike "One Hundred Twenty-Five Thousand Dollars (\$125,000)" and insert in lieu thereof "One Hundred Forty-Nine Thousand Dollars (\$149,000)".

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.

**LAID ON THE TABLE**

**Ord. No. 1861-98.**

By Councilmen Patmon and Johnson (by departmental request).

An emergency ordinance to amend the title and Section 5 of Ordinance No. 816-98, passed June 8, 1998, relating to the issuance of a series of Public Power System Revenue Bonds of the City of Cleveland, Ohio for the purpose of advance refunding a portion of the City's currently Outstanding Public Power System First Mortgage Revenue Bonds, the issuance of a series of Public Power System Revenue Bonds of the City for the purpose of currently refunding a portion of the City's currently Outstanding Public Power System First Mortgage Revenue Bonds and the engagement by the City in an interest rate swap transaction.

Without objection, Ordinance No. 1861-98 was Laid on the Table, pursuant to the Rules of Council.

**MOTION**

By Councilman Coats, seconded by Councilman Zone and unanimously carried that the absence of Councilman Patricia J. Britt be and is hereby authorized.

The Council adjourned at 8:50 p.m. to meet at 7:00 p.m. on Monday, November 16, 1998.



Clerk of Council

**THE CALENDAR**

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

**ORDINANCES**

**Ord. No. 1644-97.**

By Councilman Jackson (by request). An emergency ordinance authorizing the Director of Public Service to issue a permit to Ameritech to encroach into the public right-of-way of East 40th Street at Carnegie Avenue with an above-ground telephone equipment cabinet to provide services in this area.

**Ord. No. 1651-97.**

By Councilmen Jones, Johnson, Jackson, Rybka and Westbrook (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 in Block A of the Cleveland Industrial Park to **West 25th Street Partners**.

Whereas, the Director of Parks, Recreation and Properties has requested the sale of City-owned property no longer needed for public use and located in the Cleveland Industrial Park, identified as Permanent Parcel No. 142-22-020 to **West 25th Street Partners**, and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the following described property is no longer needed for public use:

**Lee-Seville/Cleveland Outerbelt Industrial Park Block "A-2"**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Warrensville Township Lot No. 81, and being part of Block 'A' in the Lee-Seville/Cleveland Outerbelt Industrial Park as shown by the recorded plat in Volume 231 of Maps, Page 42 of Cuyahoga County Records, and further bounded and described as follows:

Beginning in the centerline of Velma Avenue, S.E. (50 feet wide) at its intersection with the centerline of Johnston Parkway, S.E. (60 feet wide);

Thence South 00° 27' 00" East along said centerline of Johnston Parkway, S.E., 399.35 feet to a point therein;

Thence Easterly, across Johnston Parkway, S.E., in a direct line to the South West corner of the land conveyed to Erieview Metal Treating Company and known as Sublot 1 in Lee-Seville/Cleveland Outerbelt Industrial Park Subdivision, which constitutes the principal place of beginning for the following described parcel:

Thence North 89° 34' 05" East along the Southerly line of the parcel so conveyed to Erieview Metal Treating Co., a distance of 650.00 feet to the Southeasterly corner thereof;

Thence South 00° 27' 00" East along the Southerly prolongation of the Easterly line of the parcel so conveyed to Erieview Metal Treating Co., a distance of 435.96 feet to its intersection with the Northerly line of Johnston Parkway, S.E.;

Thence North 89° 58' 10" West along the Northerly line of Johnston Parkway, S.E., a distance of 218.66 feet to a point of curvature therein;

Thence Northwesterly along the arc of a curve deflecting to the right, an arc distance of 678.99 feet, said curve having a radius of 435.00 feet and a chord bearing North 45° 15' 10" West, 612.13 feet to the place of beginning.

Containing within said bounds, an area of 5.5800 acres of land, be the same more or less, but subject to all legal highways, easements and restrictions of record.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to **West 25th Street Partners**, at a price not less than fair market value as determined by the Board of Control.

**Section 3.** That the conveyance shall be made by official deed to be prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain provisions including such restrictive covenants and reversionary interests as may be specified by the Board of Control or Director of Law protecting the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**Section 4.** That the Director of Parks, Recreation and Properties and other appropriate City officials are authorized to prepare and execute such other documents and certificates and take such other action as may be necessary or appropriate to effectuate the sale authorized by this ordinance.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Ord. No. 1264-98.**

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

An emergency ordinance authorizing the Director of Community Development to transfer property described as property located on Marshall Avenue, to the control, possession and use of the Department of Parks, Recreation and Properties.

**Ord. No. 1265-98.**

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

An emergency ordinance authorizing the Director of Community Development to transfer property described as Permanent Parcel Nos. 004-02-036 and 004-02-037, to the control, possession and use of the Department of Parks, Recreation and Properties.

**Ord. No. 1600-98.**

By Councilman Cintron (by departmental request).

An emergency ordinance to vacate a portion of Stone Court N.W.

**Ord. No. 1610-98.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Boise Cascade Office Products to provide for a ten year abatement for certain tangible personal property and real estate taxes as an incentive to relocate and expand its facilities to 17909 Cleveland Parkway in the Cleveland Area Enterprise Zone.

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

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

Whereas, Boise Cascade Office Products (the "Enterprise") has proposed to relocate and expand its facilities to 17909 Cleveland Parkway, at its operation in the City of Cleveland; and

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

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

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

**Section 1.** That this Council hereby approves the application of Boise Cascade Office Products for enterprise zone incentives on the basis that Boise Cascade Office Products is qualified by financial responsibility and business experience to create and preserve employment opportunities in the Cleveland Area Enterprise Zone and to improve the economic climate of the City of Cleveland.

**Section 2.** That the Director of Economic Development is authorized to enter into an Enterprise Zone Agreement with Boise Cascade Office Products to provide for a ten (10) year abatement for certain tangible personal property and real estate taxes as an incentive to relocate and expand its facilities to 17909 Cleveland Parkway in Cleveland Ohio; said abatement shall be subject to annual review of the Tax Incentive Review Council.

**Section 3.** That the terms of said tax abatement shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1610-98-A, and further,

that the terms shall not be amended nor shall said abatement be transferred without the approval of City Council's Community Development and Economic Development Committee.

**Section 4.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under Chapter 5709 of the Revised Code and such funds are hereby appropriated for the purposes set forth in Chapter 5709 of the Revised Code. Such fees shall be deposited to and expended from fund No. 17 SF 305, Loan Fees Fund.

**Section 5.** That the Director of Law shall prepare and approve said agreement and that said agreement shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 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.

**Ord. No. 1724-98.**

By Councilmen Gordon and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept grants from the U.S. Environmental Protection Agency and the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Environment; and authorizing said director to enter into contracts for the purchase of equipment and supplies necessary to implement the program.

**Ord. No. 1726-98.**

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 Department of Justice - Office for State & Local Domestic Preparedness for the State & Local Domestic Preparedness Equipment Support Program, and to enter into contract for the purchase of equipment necessary to implement the Program.

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

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

**Section 1.** That the Director of Public Safety is hereby authorized to apply for and accept a grant in the amount of \$149,895.00, from the Department of Justice - Office for State & Local Domestic Preparedness, to conduct the State & Local Domestic Preparedness Equipment Support Program, for the purposes set forth in the application and according thereto; that the Director of Public Safety is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 1726-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Public Safety is hereby authorized to make a written contract in accordance with the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for such materials and equipment necessary to implement the Program as the program is described in the application contained in the File, to be purchased by the Commissioner of Purchases and Supplies for a unit price, payable from the funds 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.

**Ord. No. 1729-98.**

By Councilmen White, Jackson, 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 on Miles Avenue to Rite Aid of Ohio, Inc.; and reserving certain easement rights for the public purpose of ingress, egress and street widening.

**Ord. No. 1766-98.**

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Infant Mortality Reduction (Initiative) Grant; and to enter into contract with Lutheran Metropolitan Ministry to implement the program.

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the approximate amount of \$90,000, and any other funds as they become available during the grant period, from the Ohio Department of Health, to conduct the Infant Mortality Reduction (Initiative) Grant, for the purposes set forth in the application and according thereto; that the Director of Public Health 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. 1766-98-A, made a part hereof as if fully rewritten herein, including the obligation of the City of Cleveland to provide in cash matching funds the sum of \$18,000, payable from Fund No. 01-50-01-0901, is hereby approved in all respects.

**Section 3.** That the Director of Public Health is hereby authorized to enter into contract with Lutheran Metropolitan Ministry for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance.

**Section 4. That the Director of Public Health shall appear before the Committee on Public Health in March, 1999, to discuss the Infant Mortality Reduction (Initiative) Program's progress.**

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Ord. No. 1812-98.**

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by requirement contract of paper stock and envelopes, for the various divisions of City government.

**Ord. No. 1813-98.**

By Councilman Johnson (by departmental request).

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

**RESOLUTIONS**

**Res. No. 1613-98.**

By Councilman Westbrook (by request).

An emergency resolution declaring the intention to vacate all that portion of Sommer Court, N.W.

**Res. No. 1614-98.**

By Councilman Rybka (by request).  
An emergency resolution declaring the intention to vacate portions of Harvard Pl. S.E. and an Unnamed Alley West of Harvard Pl. S.E. and Northerly of Harvard Ave.

**Res. No. 1615-98.**

By Councilman Melena (by request).

An emergency resolution declaring the intention to vacate all that portion of West 62nd Place.

**Res. No. 1859-98.**

By Councilman Johnson (by departmental request).

An emergency resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies certifying them to the County Auditor.

**Res. No. 1860-98.**

By Councilman Johnson (by departmental request).

An emergency resolution requesting the County Auditor to make tax advances during the year 1999, pursuant to Section 321.34, Ohio Revised Code.

**BOARD OF CONTROL**

November 4, 1998

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 4, 1998, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller,

Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Absent: None.

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. 733-98.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Aaron Landscaping, Inc. for the public improvement of System Expansion Residential Reforestation Program, Fall 1998, item nos. 2 thru 12, 14, 17, 23, 24, 27 thru 29, 32, 33, 35 thru 37, 43 thru 51, 56 thru 64, 69 thru 82, 84, 86, 87, 89, 90 and 91, for the Division of Cleveland Public Power, Department of Public Utilities, received on September 9, 1998, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, upon a unit basis for the improvement to be performed as ordered during the period of six months at the unit prices set forth in the said bid, which on the basis of the estimated work to be done would amount to Three Hundred Sixty Four Thousand Eight Hundred Two and no/100 Dollars (\$364,802.00), (Net) is hereby affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is hereby authorized to enter into a requirement contract for said improvement, which contract shall provide for the initial performance of the following work hereunder:

Requisition No. 10585

which shall be certified against such contract in the sum of Thirty Eight Thousand Seven Hundred Seventy Four and no/100 Dollars (\$38,774.00).

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, 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 by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Aaron Landscaping Inc., for System Expansion Residential Reforestation Program, Fall 1998, for the above-mentioned public improvement by requirement contract is hereby approved:

**SUBCONTRACTOR MBE/FBE**

Caver Brothers 31% (MBE)

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 734-98.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on September 17, 1998, for gas detection and calibration equipment, all items, for the

Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority Ordinance No. 425-98, passed by the Council of the City of Cleveland on April 6, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 735-98.**

By Director Konicek.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on September 9, 1998, for System Expansion Program, Residential Reforestation item nos. 1, 19, 25, 30, 41, 45, 53, 65, 67, 79, 83 and 85, for the Division of Cleveland Public Power, Department of Public Utilities, pursuant to the authority Ordinance No. 1071-93, passed by the Council of the City of Cleveland on June 7, 1993, be and the same are hereby rejected.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 736-98.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Licursi Company, Inc. for the public improvement of System Expansion Residential Reforestation Program, Fall 1998, item nos. 13, 15, 16, 18, 20 thru 22, 26, 31, 34, 38 thru 40, 42, 52, 54, 55, 66, 68, 88, 92 and 93, for the Division of Cleveland Public Power, Department of Public Utilities, received on September 9, 1998, pursuant to the authority of Ordinance No. 1071-93, passed June 7, 1993, upon a unit basis for the improvement to be performed as ordered during the period of six months 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 Fifty Four Thousand Eight Hundred Sixty Four and no/100 Dollars (\$254,864.00), (Net), is hereby affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is hereby authorized to enter into a requirement contract for said improvement, which contract shall provide for the initial performance of the following work hereunder:

Requisition No. 10586

which shall be certified against such contract in the sum of Forty Eight Thousand Five Hundred Fifty Two and no/100 Dollars (\$48,552.00).

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 by the Board of Control of the City of Cleveland that the employment of

the following subcontractor by Licursi Company, Inc., for System Expansion Residential Reforestation Program, Fall 1998, for the above-mentioned public improvement by requirement contract is hereby approved:

**SUBCONTRACTOR**                      **MBE/FBE**  
Caver Brothers                              30% (MBE)

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 737-98.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Underground Pipe & Valve for an estimated quantity of pipe repair clamps (all items) for the Division of Water, Department Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on the 12th day of August, 1998, pursuant to the authority of Section 129.25 of the Codified Ordinance of Cleveland Ohio, 1976, which on the basis of the order quantities would amount to Two Hundred Twelve Thousand Two Hundred Ninety One Dollars (\$212,291.00), (0% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 02628 which shall be certified against such contract in the sum of Thirty Thousand Dollars (\$30,000.00).

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

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 738-98.**

By Director Balraj.

Whereas, pursuant to Ordinance No. 930-95, passed by the Cleveland City Council on June 19, 1995, as amended by Ordinance No. 2150-95, passed December 18, 1995, and Board of Control Resolution No. 541-96, adopted August 7, 1996, the City of Cleveland entered into an Agreement with D & Z Transportation Services, Inc. ("Consultant") for the purpose of providing Phase II of sound insulation services at Cleveland Hopkins International Airport for the Department of Port Control, contract No. 50227, and as amended by the First Amendment to Contract No. 50227 to include revision in Consultant's scope of services as authorized by Resolution No. 434-97, adopted by the Board of Control of the City of Cleveland June 7, 1997, and

Whereas, the City desires to obtain and consultant is willing to provide such services until October 12, 1999; now, therefore

Be it resolved, by the Board of Control of the City of Cleveland that the Director of Port Control is hereby authorized to enter into the Second Amendment to the Agreement between the City of Cleveland and D & Z Transportation Services, Incorporated ("Consultant"), Contract No. 50227, based upon the Consultant's letter dated October 12, 1998, extending the expiration date of Consultant's to October 12, 1999.

Be it further resolved that the Director of Port Control is hereby authorized to execute all document and do all things necessary and appropriate to effect the Amendment hereby authorized.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 739-98.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Able Contracting Group, Inc. for an estimated quantity of Guard Rail Elements, Posts, End Wings and Hardware (all items) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on May 18, 1998, pursuant to the authority of Ordinance No. 301-98, passed July 23, 1998, which on the basis of the estimated quantity would amount to approximately Thirty Three Thousand Three Hundred Twenty Five and no/100 Dollars (\$33,325.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17824 which shall be certified against such contract in the sum of One Thousand Six Hundred Sixty Six and 25/100 Dollars (\$1,666.25).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Able Contracting Group, Inc., for the purchase of guard rail elements, posts, end wings and hardware (all items), is hereby approved:

Crawford Fence & Guardrail  
MBE — \$4,000.00 — 4%

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 740-98.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of R W Sidley, Inc. for an estimated quantity of one cab/chassis with runway de-icing anti-icing tanker body and additional equipment (all items) for various Divisions of City Government, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract, received on August 28, 1998, pursuant to the authority of Ordinance No. 1074-98, passed June 15, 1998, which on the basis of the estimated quantity would amount to approximately One Hundred Eighty Nine Thousand Eight Hundred Seventy Three and no/100 Dollars (\$189,873.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 29470 which shall be certified against such contract in the sum of One Hundred Eighty Nine Thousand Eight Hundred Seventy Three and no/100 Dollars (\$189,873.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by R W Sidley, Inc., for the purchase of one cab/chassis with runway de-icing anti-icing tanker body and additional equipment (all items), is hereby approved:

Logical Services  
MBE — \$1,050.00/unit — 1%

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 741-98.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of ODB for an estimated quantity of gutter broom sets and coreless tube brooms (all items) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on September 25, 1998, pursuant to the authority of Ordinance No. 299-98, passed April 27, 1998, which on the basis of the estimated quantity would amount to approximately Forty Three Thousand Seven Hundred Ninety and no/100 Dollars (\$43,790.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17839 which shall be certified against such contract in the sum of Four Thousand Three Hundred Eighty Three and no/100 Dollars (\$4,383.00).

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

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 742-98.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Valk Mfg. Company for an estimated quantity of curb bumpers and plow blades (all items) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on September 25, 1998, pursuant to the authority of Ordinance No. 298-98, passed May 18, 1998, which on the basis of the estimated quantity would amount to approximately Nine Thousand Four Hundred Five and no/100 Dollars (\$9,405.25), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17840

which shall be certified against such contract in the sum of Nine Hundred Forty and 52/100 Dollars (\$940.52).

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

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 743-98.**

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Kenmore Construction Co., Inc. for an estimated quantity of asphalt concrete material (all items) for the Division of Streets, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on July 9, 1998, pursuant to the authority of Ordinance No. 295-98, passed April 27, 1998, which on the basis of the estimated quantity would amount to approximately One Million Nine Hundred Twenty Five Thousand and no/100 Dollars (\$1,925,000.00), (Net), is hereby affirmed and approved as the lowest

and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 17841

which shall be certified against such contract in the sum of Ninety Six Thousand Two Hundred Fifty and no/100 Dollars (\$96,250.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Kenmore Construction Co. Inc., for the purchase of asphalt concrete material (all items), is hereby approved:

Choice Construction  
FBE — \$288,750.00 — 15%

Perk Company  
MBE — \$404,250.00 — 21%

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 744-98.**

By Director Denihan.

Whereas, pursuant to Ordinance No. 2458-92, passed by the Council of the City of Cleveland on January 25, 1993, this Board of Control, by its Resolution No. 271-97, adopted April 16, 1997, as amended by Resolution No. 420-97, adopted June 4, 1997, authorized the Director of Public Safety to enter into contract with International Business Machines Corporation ("IBM"), Contract No. 51953, for project management, systems integration, licensing, and certain other professional, support and certain other professional, support and development services for implementation of an integrated Records Management System ("RMS") for the Division of Police, Department of Public Safety, for a base fee of \$798,000.00, plus a 10% contingency, resulting in a total fee not to exceed \$884,595.00; and

Whereas, pursuant to Resolution No. 420-97, adopted June 4, 1997, the City entered into an agreement with New World Systems Corporation for license of certain software for the Integrated Records Management System, City Contract No. 51954; and

Whereas, the City desires certain modifications to the New World Systems software licensed under said Contract No. 51954 to produce certain required reports for the Division of Police, Department of Public Safety, and New World Systems has proposed by its October 8, 1998 letter to provide the professional services necessary to modify its application software to provide said reports; and

Whereas, the City has determined that it will not require certain services under said Contract No. 51953 with IBM for which an allowance was required, in the amount of at least \$26,000; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Safety hereby is authorized to enter into a written contract with New World Systems Corporation for the development of certain reports, on the basis of New World's October 8, 1998 proposal, which contract shall be prepared by the Director of Law in the form of a modification to said Contract No. 51954. The fee to be paid New World Systems shall not exceed Twenty Six Thousand Dollars (\$26,000.00), thereby increasing the total contract amount to Three Hundred Sixty Thousand, Two Hundred Five and no/100 Dollars (\$360,205.00). The amendment shall include such additional provisions as the Director of Law deems necessary to benefit and protect the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that, Contract No. 51953 with IBM for project management, systems integration, licensing, and certain other professional, support, and development services, necessary for an integrated Records Management System and New World Systems Corporation for the Division of Police, Department of Public Safety, is hereby amended to reduce the allowance for supplemental services by an amount of Twenty-six thousand and no/100 dollars (\$26,000.00), thereby decreasing the total contract amount from \$884,595.00 to an amount not to exceed \$858,595.00.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 745-98.**

By Director Denihan.

Resolved by the Board of Control of the City of Cleveland that the bid of SmithKline Beecham Pharmaceuticals Corp. for an estimated quantity of Hepatitis-B Vaccine, all items, for the Various Division of the Department of Public Safety, for the period beginning with the date of execution of a contract, received on August 27, 1998, pursuant to the authority of Ordinance No. 2152-97, passed March 2, 1998, which on the basis of the estimated quantity would amount to Seventeen Thousand Seven Hundred Thirty and no/100 Dollars (\$17,730.00), (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. 17476

150 Prefilled syringes of Engerix-B Hepatitis B Vaccine as per specifications

which shall be certified against such contract in the sum of Three Thousand, Five Hundred Forty-Six and no/100 Dollars (\$3,546.00).

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

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 746-98.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Steingass Mechanical Contracting, Inc. for the public improvement of Purchase and Installation of two (2) Boilers for the West Side Market, for the Division of Convention Center and West Side Market, Department of Parks, Recreation and Properties, received on August 27, 1998, pursuant to the authority of Ordinance No. 762-98, passed June 15, 1998, for a gross price for the improvement in the aggregate amount of Forty Nine Thousand Seven Hundred and 00/100ths Dollars (\$49,700.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 747-98.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Advance Door Company for the public improvement of Labor and Materials to Repair the Music Hall Entrance Doors for the Division of Convention Center and West Side Market, Department of Parks, Recreation and Properties, received on October 9, 1998, pursuant to the authority of Ordinance No. 761-98, passed May 18, 1998, for a gross price for the improvement in the aggregate amount of Fourteen Thousand Eight Hundred Fifty Five and 00/100ths Dollars (\$14,855.00), is hereby affirmed and approved as the lowest responsible bid; and the Director of Parks, Recreation and Properties is hereby authorized to enter into contract for said improvement with said bidder.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 748-98.**

By Director Jackson.

Resolved by the Board of Control of the City of Cleveland that the bid of U.S. Floor Service for the following: refinish gym floors at Cudell and Fairfax Recreation Centers (all items) for the Division of Recreation, Department of Parks, Recreation and Properties, received on the 1st day of October 1998, pursuant to the authority of Ordinance No. 162-97, passed April 14, 1997, which on

the basis of the order quantity would amount to \$18,000.00, is hereby approved as the lowest and best bid, and the Director of Parks, Recreation and Properties is hereby requested to enter into contract for such items.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 749-98.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that all bids received on September 16, 1998 for Forest Hills Park Court Improvements and Grdina Playground Fence Improvements for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 619-98 and Ordinance No. 1264-97, passed by the Council of the City of Cleveland on June 15, 1998 and July 16, 1997, be and the same are hereby rejected.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 750-98.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on October 21, 1998 for fire hydrants and fire hydrant parts for the Division of Water, Department of Public Utilities, pursuant to the authority of Section 129.25 of the Codified Ordinance of Cleveland Ohio, 1976, are hereby rejected.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 751-98.**

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1107-94, passed by the Council of the City of Cleveland on June 13, 1994, the firm of Parsons Engineering Science, Inc. of Ohio ("Consultant") is hereby selected upon the nomination of the Director of Port Control, as determined after a full and complete canvass by the Director of Port Control, as the firm of engineering consultants to be employed by contract for the purpose of supplementing the regularly employed staff of the several departments of the City in order to furnish professional services necessary to prepare a Special Site Study and Preliminary Engineering Reports required to relocate certain NASA facilities in connection with the expansion of Cleveland Hopkins International Airport.

Be it further resolved that the Director of Port Control hereby is authorized to enter into contract with said Consultant for Stage I services in an amount not to exceed \$1,040,000, with an option exercisable by the Director of Port Control in writing for Consultant to perform Stage II services in an amount not to exceed \$1,035,031 on the basis of Consultant's proposal dated June 18, 1998, as amended by its letter dated November 4, 1998. The contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Parsons Engineering Science, Inc. of Ohio for the contract herein authorized hereby is approved:

1. KS Associates, Inc.
2. City Blue, Inc.
3. Ralph Tyler Companies

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 752-98.**

By Director Balraj.

Whereas, Hermes Race Systems wishes to promote and conduct the annual Turkey Trot Run (the "Event") at Burke Lakefront Airport (the "Airport") on November 26, 1998; and

Whereas, the City is willing to grant Hermes Race Systems the privilege, permit and license to promote and conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Director of the Department of Port Control is hereby authorized to enter into a concession agreement (the "Agreement") granting Hermes Race Systems the privilege, permit and license, at no concession fee, to conduct the Event in the lobby area of the Airport terminal building from 6:00 a.m. to noon on November 26, 1998 and such period of time before the Event as necessary for preparation. Hermes Race Systems shall reimburse the City for the cost of providing one (1) City employee to perform custodial work related to the conduct of the Event; shall arrange for the operation of the Event and other concessions as may be appropriate and incidental to the Event; and shall be responsible for providing traffic control, security and clean up.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller,

Director Hudecek, Acting Director Torres, Directors Warren and Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 753-98.**  
By Director Hudecek.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1279-98, passed by the Council of the City of Cleveland on July 29, 1998. The firm of Sandvick Architects, Inc. is hereby selected upon the nomination of the Director of City Planning from a list of qualified firms available for such employment and determined after full and complete canvass by the Director of City Planning as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of the Landmarks Commission in order to provide for professional services necessary for the Broadway feasibility studies.

Be it further resolved that the Director of City Planning hereby is authorized to enter into written contract with Sandvick Architects, Inc. based upon its proposal dated August 17, 1998, which contract shall be prepared by the Director of Law and shall include such additional provisions as the Director deems necessary to benefit and protect the public interest. The fees for the services to be performed under the contract authorized hereby shall not exceed Seventeen Thousand Dollars (\$17,000).

Yeas: Mayor White, Director Carter, Acting Director Frank, Directors Konicek, Balraj, Guzman, Staib, Acting Directors Terry, Miller, Director Hudecek, Acting Director Torres, Directors Warren 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, NOVEMBER 23, 1998

9:30 A.M.

**Calendar No. 98-229:** 6301 Harvard Avenue

Theodore Swarski and Glen Snow, owners, and CVS, tenant c/o Donna J. Roberts, and Cicogna Electric & Sign c/o George Dragon, agent, appeal to erect one 18' high x 8'-6" wide x 1'-4" thick pylon style sign on two 6" x 6" steel tube poles at the southerly drive-thru entrance and one 6' x 1" high x 6'-11" wide x 1'-4" thick monument sign at the northeasterly entrance of the 147' x 372' irregular shaped corner lot located in a General Retail Business District and Local Retail District at the northwesterly corner of East 64th Street and Harvard Avenue; said signage being contrary to a portion of Section 350.20(b), where an additional free standing identification sign shall be permitted if the minimum distance is 500' and less than 500' is proposed, and the maximum square footage allowed for signs in a retail district is 50 sq. ft. and 88 sq. ft. is proposed per Section 350.14 of the Codified Ordinances.

**Calendar No. 98-230:** 6630-6650 Broadway

David Mathoslah, owner c/o Scott Stefl, attorney, appeal under authority of Sections 327.99(A), 329.02(C), 352.10(c) and Section 352.10(d) and the Charter of the City of Cleveland from the violation notice issued on October 22, 1998 by the City of Cleveland Department of Community Development, Division of Building and Housing, relating to a certificate of occupancy for operation of a commercial business using the existing landscaping which is 3' instead of the required 6'.

**Calendar No. 98-231:** 2925 East 75th Street, a.k.a. 7507-19 Kinsman Road

Moorad H. Rabah, appellant, and Eric Maiden, agent, appeal to change the use of an existing 24' x 60' one-story masonry car wash building into an auto repair and tire installation shop and to extend the existing building by 6' to create a 30' x 60' auto repair and tire installation shop all located on a 229' x 171' irregular shaped lot with an existing 142' x 77' retail building to the west of the proposed building and located in a General Retail District at 2925 East 75th Street, a.k.a. 7507-19 Kinsman Road; said use being contrary to Section 343.11(I) where tire sales and installation are an automotive service not permitted in a General Retail District but first permitted in a Semi-Industry District and only when 100' from a residential district, the proposed automotive service being only 8' from a residence district to the north; and contrary to Sections 349.02, 349.03 and 349.04 relating to Off-Street Parking Requirements, where 63 accessory off-street parking spaces are required and only 37 are proposed, but subject to the substitution limitations of Section 359.01(a) of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

## REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 9, 1998

At the Meeting of the Board of Zoning Appeals on Monday, November 9, 1998, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 98-218:** 998 East 63rd Street

Josephine J. Sczurek, owner, appealed to install approximately 40 linear feet of 6' high board on board wood fencing on the northerly side of a lot occupied by a dwelling house in a Two-Family District.

**Calendar No. 98-221:** 2049 West 106th Street

Jennings and Zelma Smith, owners, appealed to construct a 19' x 14' one-story frame bedroom and bathroom addition to the rear of an existing 19' x 50' one family dwelling house in a Two-Family District.

**Calendar No. 98-222:** 2515 Market Avenue, a.k.a. 2528 Lorain Avenue

One Market Square Ltd., Partnership, owner c/o Michael K. Dostal and James Hayes, appealed to change the use and renovate the second, third and fourth floors of an existing 45' x 100' four-story masonry commercial building into twelve residential apartments in a General Retail District on the northerly side of Lorain Avenue and the southerly side of Market Avenue.

The following appeals were **Refused:**

**Calendar No. 98-169:** 6605 Clark Avenue

1799-1873 Beall Avenue Company Incorporated, owners c/o Stuart J. Graines, appealed from the issuance of a Violation Notice on July 20, 1998 by the Division of Environment, Department of Public Health.

**Calendar No. 98-205:** 1906 East 82nd Street

Madonna Hall, Inc., c/o Ranelle Gamble its statutory agent, by and through their attorney Sheila Cooley, appealed from the violation notice issued August 10, 1998 by the Department of Public Health.

**Calendar No. 98-219:** 17721 South Miles Road, S.E.

John Smith, owner, and Gregory Jones, tenant, appealed to change use of the southerly portion of an existing 136' x 40' one-story masonry warehouse building into an auto repair garage situated on a 160' x 80' lot in a Semi-Industry District.

**On Monday, November 9, 1998, in Executive Session:**

The following appeals were heard on Monday, November 2, 1998, and said decisions to **GRANT** were approved and adopted by the Board on November 9, 1998:

**Calendar No. 98-163:** 1628 Fall Street, N.W., a.k.a. 1628-38 Fall Street

Mike Sadowsky, aka Mickey Finn's, owner, and Frank Maenza, tenant, appealed to make interior alterations to expand an existing adult cabaret use located on a 150' x 95' irregular shaped corner parcel in a General Industry District.

**Calendar No. 98-199:** 3259 West 125th Street

Peter Keva, owner, appealed to construct a 22' x 22' private one-story wood frame garage on a 69' x 147' triangular parcel occupied by a two family dwelling house in a Two-Family District.

**Calendar No. 98-216:** 14916 Aspinwall Avenue, N.E.

Greater New Calvary Baptist Church, owner c/o Nathaniel Foster, associate, appealed to install approximately 400 linear feet of 6' high chain link fencing on the western part of a 282' x 140' through corner parcel in a Two-Family District.

**Calendar No. 98-217:** 1034 East 78th Street

Ralph Tromp, owner, appealed to construct a 20' x 10' one-story front porch to an existing 20' x 45' two family dwelling house in a Two-Family District.

The following appeal was heard on Monday, November 2, 1998, and said decision to **REFUSE** was approved and adopted by the Board on November 9, 1998:

**Calendar No. 98-214:** 3214 Clark Avenue, S.W.

Tayssir Khatib, owner, appealed to construct a 36' x 37' concrete block auto repair and auto sales building on a 40' x 180' lot located in a General Retail District.

EUGENE CRANFORD, JR.,  
Secretary

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

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NO MEETING

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**PUBLIC NOTICE**

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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.

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**NOTICE OF PUBLIC HEARING**

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**Notice of Public Hearing  
By the Council Committee  
On City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, November 18, 1998  
1:00 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, November 18, 1998, at 1:00 P.M., to consider the following ordinances now pending in the Council:

**Ord. No. 1269-98.**

By Councilman Dolan.  
An ordinance to change the Use and Area Districts of lands located 195' north of Larchwood Avenue,

S.W. approximately 250' south of Chatfield Avenue, S.W., approximately 169' west of West 166 Street and approximately 445' east of Rocky River Drive, S.W. (Map Change No. 1980, Sheet No. 12)

**Ord. No. 1270-98.**

By Councilman Polensek.  
An ordinance to change the Use District of lands on the southwesterly corner of Lake Shore Boulevard and East 146 Street. (Map Change No. 1979, Sheet No. 7)

**Ord. No. 1423-98.**

By Councilman Britt.  
An ordinance to change the Use and Area Districts of lands on the northwesterly corner of East 83 Street and Carnegie Avenue, N.E. (Map Change No. 1982, Sheet No. 5)

**Ord. No. 1424-98.**

By Councilman Westbrook.  
An ordinance to change the Use and Area Districts of lands on the west side of West 65 Street and east of West 67 Street between I-90 and north of Clark Avenue, S.W. (Map Change No. 1981, Sheet Nos. 1&2)

All interested persons are urged to be present or to be represented at the above time and place.

EDWARD W. RYBKA,  
Chairman

Committee on City Planning

November 4 and November 11, 1998

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**CITY OF CLEVELAND BIDS**

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**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**THURSDAY, NOVEMBER 19, 1998**

**Exterior and Interior Motor Vehicle Body Repair**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 1066-98, passed by the Council of the City of Cleveland, July 29, 1998.

A **MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, NOVEMBER 10, 1998, 10:00 A.M., AT 2490 WEST 41ST STREET, CLEVELAND, OHIO 44113.**

**Lining Cement, Mortar Cement and Sand**, 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.

**Water Meter Parts**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.

November 4, 1998 and November 11, 1998

**FRIDAY, DECEMBER 4, 1998**

**Project to Demolish Various Non-Operative Stations**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1980-96, passed by the Council of the City of Cleveland, June 2, 1997.

A **DEPOSIT OF ONE HUNDRED FIFTYDOLLARS (\$150.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.**

A **PRE-BID MEETING WILL BE HELD ON TUESDAY, NOVEMBER 16, 1998, 10:00 A.M. AT THE DIVISION OF WATER, 5TH FLOOR ENGINEERING CONFERENCE ROOM, 75 ERIEVIEW PLAZA, CLEVELAND, OHIO.**

November 4, 1998 and November 11, 1998

**WEDNESDAY, NOVEMBER 25, 1998**

**Gym Floor Renovations**, for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1727-98, passed by the Council of the City of Cleveland, October 19, 1998.

**Auto/Truck Batteries**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1852-98.

November 11, 1998 and November 18, 1998

**WEDNESDAY, DECEMBER 2, 1998**

**Fire Hydrants and Fire Hydrant Parts**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of the City of Cleveland, 1976.



**Powdered Activated Carbon**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland, 1976.

November 11, 1998 and November 18, 1998

**THURSDAY, DECEMBER 3, 1998**

**Keycards and Accessories**, for the various divisions of the Department of Port Control, as authorized by Ordinance No. 355-98, passed by the Council of the City of Cleveland, April 6, 1998.

A **PRE-BID MEETING WILL BE HELD ON TUESDAY, NOVEMBER 17, 1998, 1:00 P.M. IN THE DEPARTMENT OF PORT CONTROL'S BAGGAGE CLAIM CONFERENCE ROOM, TERMINAL BUILDING, CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND, OHIO 44135.**

**Tree Trimming**, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1256-98, passed by the Council of the City of Cleveland, October 12, 1998.

A **MANDATORY PRE-BID MEETING WILL BE HELD ON THURSDAY, NOVEMBER 19, 1998, 2:00 P.M. 3RD FLOOR CONVENTION CENTER, 500 LAKESIDE AVENUE.**

**Arborecultural Work in the Downtown Tree Assessment District**, for the Division of Park Maintenance and Properties, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1253-98, passed by the Council of the City of Cleveland, October 12, 1998.

November 11, 1998 and November 18, 1998

**FRIDAY, DECEMBER 4, 1998**

**Lubricants**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1848-98.

**Stationary Generator Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1853-98.

**Meyer Snow Plow and Spreader Parts and Labor**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1850-98.

**Three (3) Cab and Chassis with Utility Service Body (Light/Medium)**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

November 11, 1998 and November 18, 1998

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1893-98.**

**By Councilmen Cintron, Westbrook, Sweeney, Polensek, Rybka, Lewis, Melena, Johnson, Patmon, Robinson, White, Jones, Cimperman, Dolan, Gordon and Zone.**

**An emergency resolution urging representatives of Carpet Barn to comply fully and quickly with state laws requiring refunds of deposits.**

Whereas, the Council of the City of Cleveland is concerned about the adverse impact of unanticipated and unannounced closures of businesses in the City of Cleveland; and

Whereas, the recent closure of Carpet Barn has caused financial and personal disruption to many residents of the City; and

Whereas, the Ohio Consumer Sales Practices Act, together with other laws of the State of Ohio, mandate certain safeguards for consumers who have provided deposits for goods and services; now, therefore

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

**Section 1.** That the Council of the City of Cleveland urges representatives of Carpet Barn to treat its former customers fairly and equitably and to comply fully with state law provisions requiring that deposits be refunded to customers in a timely manner.

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

Adopted October 26, 1998.

Effective November 5, 1998, without the signature of the Mayor.

**Ord. No. 1247-98.**

**By Councilmen Gordon and Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Alcohol and Drug Addiction Services Board of Cuyahoga County for the 1998-1999 Drug Prevention, Treatment and Intervention Program.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for and accept a grant in the amount of \$232,265.00, from the Alcohol and Drug Addiction Services Board of Cuyahoga County, to conduct the 1998-1999 Drug Prevention, Treatment and Intervention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health 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. Should additional grant funds be made available to the City of Cleveland, Department of Public Health, from the Alcohol and Drug Addiction Services Board of Cuyahoga County to Conduct the 1998-1999 Drug Prevention, Treatment and Intervention Program, the Director of Public Health shall be required to seek legislative approval prior to the acceptance of such funds.

**Section 2.** That the application for said grant, File No. 1247-98-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

Passed October 26, 1998.

Effective November 5, 1998.

**Ord. No. 1731-98.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an Empowerment Zone Business Opportunity contract with Mary Daniels to provide economic development assistance to partially finance the renovation of a commercial building located at 1216-20 East 105th Street, Cleveland, Ohio.**

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

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

**Section 1.** That the Director of Economic Development is hereby authorized to enter into an Empowerment Zone Business Opportunity contract with Mary Daniels to provide economic development assistance to partially finance the renovation of a commercial building located at 1216-20 East 105th Street, Cleveland, Ohio.

**Section 2.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1731-98-A.

**Section 3.** That the Director of Economic Development shall, pursuant to the authority of Ordinance No. 82-96, passed April 1, 1996, put Economic Development Initiative Grant funds in an amount equal to the Loan Amount in the Empowerment Zone debt Service Reserve account created by that ordinance. Said grant funds shall be paid from Fund No. 18 SF 003.

**Section 4.** That the costs of said contract shall not exceed a Loan Amount of \$60,000 and a Rebate Amount of \$24,000. The Loan shall

be paid from Fund Nos. 18 SF 001 and 18 SF 003 and the Rebate Amount shall be paid from Fund No. 18 SF 003, Request No. 24288.

**Section 5.** That the Director of Economic Development is hereby authorized and directed to accept collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 6.** That the Director of Economic Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 18 SF 002.

**Section 7.** That the Director of Economic Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. Such fees shall be deposited and expended from Fund No. 18 SF 004.

**Section 8.** That the Director of Law is hereby authorized to prepare said contract and such other documents as may be appropriate to complete the transaction.

**Section 9.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 26, 1998.

Effective November 5, 1998.

**Ord. No. 1762-98.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to pay the cost of extraction of 1997 Ohio income tax master file data.**

Whereas, the State of Ohio is the sole source of state income tax data; and

Whereas, the State of Ohio has provided 1997 Ohio income tax master file data to 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 Director of Finance is hereby authorized to pay the sum of Nineteen Thousand Dollars (\$19,000) to the Treasurer of the State of Ohio from Fund No. 80 SF 001, Request No. 21211, for extraction from the 1997 Ohio Individual Master File of taxpayer information relating to the communities served by the Central Collection Agency.

**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 October 26, 1998.

Effective November 5, 1998.

**Ord. No. 1763-98.**  
**By Councilman Johnson (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to enter into contract without competitive bidding with Data Compression Technology for the purchase and installation, if necessary, of STAX software, for records retrieval, for the Division of Taxation, 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 it is hereby determined that the within commodities are non-competitive and cannot be secured from any source other than Data Compression Technology. Therefore, the Director of Finance is hereby authorized to make a written contract with said Data Compression Technology for the purchase and installation, if necessary, of STAX software which will enable the Division of Taxation to establish a records retrieval agreement with the Internal Revenue Service, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Taxation, Department of Finance.

**Section 2.** That the cost of said contract hereby authorized shall be paid from Fund No. 81 SF 001, Request No. 21210.

**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 October 26, 1998.

Effective November 5, 1998.

**Ord. No. 1888-98.**  
**By Mayor White, Councilmen Westbrook, Lewis and Cimperman.**

**An emergency ordinance to amend the title and Section 1 of Ordinance No. 1771-98, passed October 5, 1998, relating to naming the connector street between West St. Clair Avenue N.W. and Carter Road N.W. to "Robert Lockwood, Jr. Road N.W."**

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

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

**Section 1.** That the title and Section 1 of Ordinance No. 1771-98, passed October 5, 1998, are hereby amended to read, respectively, as follows:

An ordinance to name the connector street between West St. Clair Avenue N.W. and Carter Road N.W. to "Robert Lockwood, Jr. Road N.W."

Section 1. That the portion of the connector street between West St. Clair Avenue N.W. and Carter Road N.W. be named "Robert Lockwood, Jr. Road N.W."

**Section 2.** That the existing title and Section 1 of Ordinance No. 1771-98, passed October 5, 1998, are hereby repealed.

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

Passed October 26, 1998.

Effective November 5, 1998.

**Ord. No. 1889-98.**  
**By Councilman Cimperman.**

**An emergency ordinance authorizing and directing the Director of Public Service to issue a permit to Great Lakes Theater Festival to stretch one (1) banner on utility poles (by separate permission), on Euclid Avenue at Playhouse Square, for the period of December 1, 1998 to December 31, 1998, inclusive, publicizing their 10th Anniversary production of "A Christmas Carol".**

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 Great Lakes Theater Festival to install, maintain and remove one (1) banner on utility poles (by separate permission); at Playhouse Square on Euclid Avenue; Pole #B654 - on 1438 Euclid Avenue (S) and, Pole #NE1068 - across from 1438 Euclid Avenue (N), for the period from December 1, 1998 to December 31, 1998, inclusive, publicizing Great Lakes Theater Festival's 10th Anniversary production of "A Christmas Carol". Said banners 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 banners and said banners shall be removed promptly upon the expiration of said permit.

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

Passed October 26, 1998.

Effective November 5, 1998.

**Ord. No. 1890-98.**

**By Councilman Johnson (by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with Local 100, AFSCMEOhio Council 8, AFL-CIO; and amending Section 8 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 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 Local 100, AFSCMEOhio Council 8, AFL-CIO which contains the terms set forth in File No. 1890-98-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:

<b>Increase</b>	<b>Effective Date of Increase</b>
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 8 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, is hereby amended to read as follows:

Section 8. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accountant I.....	\$ 6.36 per hour	\$15.11 per hour
2. Accountant II.....	\$ 7.06 per hour	\$16.58 per hour
3. Accountant III.....	\$ 7.96 per hour	\$18.38 per hour
4. Accountant Clerk I.....	\$ 5.15 per hour	\$12.25 per hour
5. Accountant Clerk II.....	\$ 5.46 per hour	\$13.23 per hour
6. Activities Therapist.....	\$ 9.15 per hour	\$11.64 per hour
7. Aids Support Services Coordinator .....	\$10.49 per hour	\$13.02 per hour
8. Air Pollution Control Engineer I .....	\$ 8.43 per hour	\$19.44 per hour
9. Air Pollution Control Engineer II .....	\$ 8.96 per hour	\$20.48 per hour
10. Air Pollution Control Engineer III .....	\$ 9.50 per hour	\$21.58 per hour
11. Air Pollution Engineer .....	\$12.04 per hour	\$15.17 per hour
12. Air Pollution Inspector I.....	\$10.99 per hour	\$15.63 per hour
13. Air Pollution Inspector II .....	\$ 7.76 per hour	\$17.44 per hour
14. Air Pollution Technician I .....	\$ 7.12 per hour	\$16.58 per hour
15. Air Pollution Technician II .....	\$ 7.53 per hour	\$17.44 per hour
16. Air Pollution Technician III .....	\$ 8.43 per hour	\$19.44 per hour
17. Airport Information Representative .....	\$ 9.08 per hour	\$12.70 per hour
18. Airport Operations Agent I .....	\$12.82 per hour	\$15.70 per hour
19. Airport Operations Agent II .....	\$16.11 per hour	\$18.48 per hour
20. Airport Safety Man .....	\$26,758.58	\$33,421.66
21. Architect .....	\$ 9.73 per hour	\$22.86 per hour
22. Assistant Buyer .....	\$ 6.71 per hour	\$15.86 per hour
23. Assistant City Planner .....	\$ 7.12 per hour	\$16.58 per hour
24. Assistant Civil Engineer .....	\$ 7.12 per hour	\$16.58 per hour
25. Assistant Electrical Engineer .....	\$ 7.12 per hour	\$16.58 per hour
26. Assistant Mechanical Engineer .....	\$ 7.12 per hour	\$16.58 per hour
27. Assistant Plan Examiner .....	\$ 7.76 per hour	\$17.44 per hour
28. Associate Programmer .....	\$ 7.55 per hour	\$17.77 per hour
29. Bacteriologist .....	\$ 9.08 per hour	\$18.38 per hour
30. Bill Collector .....	\$12.92 per hour	\$12.70 per hour
31. Building Inspector .....	\$12.54 per hour	\$16.86 per hour
32. Camera Room Operator .....	\$ 6.04 per hour	\$14.43 per hour
33. Caseworker I .....	\$ 5.73 per hour	\$13.79 per hour
34. Caseworker II .....	\$ 6.36 per hour	\$15.11 per hour
35. Cashier/Starter .....	\$ 6.36 per hour	\$15.11 per hour
36. Chemist .....	\$ 8.90 per hour	\$19.81 per hour
37. Chief Miscellaneous Investigator .....	\$ 7.53 per hour	\$17.44 per hour
38. Citizens Information Representative .....	\$ 6.04 per hour	\$14.43 per hour
39. Civil Engineer .....	\$ 9.50 per hour	\$22.86 per hour
40. Claims Examiner .....	\$ 7.53 per hour	\$17.44 per hour
41. Clerk Typist .....	\$ 7.62 per hour	\$ 9.47 per hour
42. Clinical Laboratory Assistant .....	\$ 6.36 per hour	\$14.43 per hour
43. Clinical Laboratory Technician I .....	\$ 7.12 per hour	\$16.58 per hour
44. Clinical Laboratory Technician II .....	\$ 7.37 per hour	\$17.77 per hour
45. Cocaine Treatment Counselor I .....	\$ 8.56 per hour	\$13.72 per hour
46. Cocaine Intake Specialist .....	\$ 9.95 per hour	\$12.35 per hour
47. Community Development Code Enforcement Inspector I .....	\$14.08 per hour	\$18.39 per hour
48. Community Development Code Enforcement Inspector II .....	\$14.89 per hour	\$19.44 per hour
49. Community Development Code Enforcement Inspector III .....	\$15.70 per hour	\$20.48 per hour
50. Community Development Code Enforcement Inspector/Heating I .....	\$14.08 per hour	\$18.39 per hour

51.	Community Development Code Enforcement Inspector/Heating II .....	\$14.89 per hour	\$19.44 per hour
52.	Community Development Code Enforcement Inspector/Heating III .....	\$15.70 per hour	\$20.48 per hour
53.	Community Development Code Enforcement Inspector/Refrigeration I .....	\$14.08 per hour	\$18.39 per hour
54.	Community Development Code Enforcement Inspector/Refrigeration II .....	\$14.89 per hour	\$19.44 per hour
55.	Community Development Code Enforcement Inspector/Refrigeration III .....	\$15.70 per hour	\$20.48 per hour
56.	Community Development Code Enforcement Inspector/Trainee .....	\$ 9.97 per hour	\$14.83 per hour
57.	Community Development Planner .....	\$ 9.87 per hour	\$21.98 per hour
58.	Community Health Aide .....	\$ 5.15 per hour	\$12.25 per hour
59.	Community Relations Representative I .....	\$ 6.04 per hour	\$14.43 per hour
60.	Community Relations Representative II .....	\$ 7.53 per hour	\$17.44 per hour
61.	Community Relations Representative III .....	\$ 9.51 per hour	\$21.58 per hour
62.	Composing Equipment Operator .....	\$ 6.71 per hour	\$15.86 per hour
63.	Computer Monitor Assistant .....	\$ 8.43 per hour	\$10.48 per hour
64.	Computer Operator .....	\$ 7.53 per hour	\$17.44 per hour
65.	Consumer Protection Specialist .....	\$ 5.73 per hour	\$13.79 per hour
66.	Cook .....	\$10.32 per hour	\$11.94 per hour
67.	Copy Center Operator .....	\$ 5.67 per hour	\$13.23 per hour
68.	Cost Construction Estimator .....	\$ 8.34 per hour	\$16.97 per hour
69.	Customer Service Representative .....	\$ 9.09 per hour	\$13.21 per hour
70.	Data Control Clerk .....	\$ 5.24 per hour	\$12.71 per hour
71.	Data Conversion Operator .....	\$ 8.73 per hour	\$11.51 per hour
72.	Dental Assistant .....	\$ 5.15 per hour	\$12.00 per hour
73.	Development Officer .....	\$ 8.96 per hour	\$20.47 per hour
74.	Dietician .....	\$ 9.08 per hour	\$15.10 per hour
75.	Drug and Alcohol Counselor .....	\$ 9.05 per hour	\$11.24 per hour
76.	Electrical Engineer .....	\$ 9.50 per hour	\$22.86 per hour
77.	Electronic Engineer .....	\$ 9.54 per hour	\$23.27 per hour
78.	Elevator Inspector .....	\$12.90 per hour	\$18.39 per hour
79.	Environmental Technician .....	\$11.58 per hour	\$13.80 per hour
80.	Family Planning Clerk .....	\$ 7.22 per hour	\$10.59 per hour
81.	Financial Analyst .....	\$ 7.12 per hour	\$16.58 per hour
82.	Financial Counselor .....	\$ 7.94 per hour	\$17.44 per hour
83.	Fuel System Technician .....	\$ 8.96 per hour	\$15.40 per hour
84.	General Health Aide .....	\$ 5.15 per hour	\$12.25 per hour
85.	General Storekeeper .....	\$ 7.96 per hour	\$18.38 per hour
86.	Geriatric Outreach Worker .....	\$ 7.12 per hour	\$16.58 per hour
87.	Guard .....	\$ 6.55 per hour	\$12.24 per hour
88.	Head Cook .....	\$ 5.46 per hour	\$13.21 per hour
89.	Head Storekeeper .....	\$ 7.11 per hour	\$16.59 per hour
90.	Health Educator I .....	\$ 6.36 per hour	\$15.11 per hour
91.	Health Educator II .....	\$ 7.12 per hour	\$16.58 per hour
92.	Heating Inspector .....	\$12.90 per hour	\$16.86 per hour
93.	HIV Educator .....	\$ 8.17 per hour	\$ 9.64 per hour
94.	House Connection Inspector .....	\$11.51 per hour	\$14.10 per hour
95.	House of Correction Guard .....	\$10.10 per hour	\$13.01 per hour
96.	Housing Inspector .....	\$13.23 per hour	\$15.00 per hour
97.	Human Resources Contract Specialist .....	\$ 9.73 per hour	\$22.85 per hour
98.	Human Resources On-the-Job Training Specialist .....	\$10.21 per hour	\$19.43 per hour
99.	Human Resources Planner .....	\$10.74 per hour	\$24.13 per hour
100.	Human Resources Special Projects Coordinator .....	\$10.21 per hour	\$19.43 per hour
101.	Income Tax Tracer .....	\$ 6.36 per hour	\$15.11 per hour
102.	Industrial Hygiene Engineer .....	\$ 9.73 per hour	\$22.85 per hour
103.	Industrial Nuisance Inspector .....	\$ 6.36 per hour	\$15.11 per hour
104.	Information Control Analyst .....	\$ 6.81 per hour	\$15.83 per hour
105.	Inspector of Weights and Measures .....	\$ 5.73 per hour	\$13.79 per hour
106.	Institutional Guard .....	\$ 9.50 per hour	\$13.01 per hour
107.	Instrument Repairman .....	\$ 8.21 per hour	\$15.10 per hour
108.	Instrumentation Technician I .....	\$15.29 per hour	\$16.23 per hour
109.	Instrumentation Technician II .....	\$15.00 per hour	\$17.88 per hour
110.	Intake Specialist .....	\$ 5.15 per hour	\$12.25 per hour
111.	Job Retraining Assistant .....	\$ 7.12 per hour	\$16.58 per hour
112.	Junior Cashier .....	\$ 5.24 per hour	\$12.70 per hour
113.	Junior Chemist .....	\$ 5.46 per hour	\$13.23 per hour
114.	Junior City Planner .....	\$ 6.36 per hour	\$15.11 per hour
115.	Junior Civil Engineer .....	\$ 6.36 per hour	\$15.11 per hour
116.	Junior Clerk .....	\$ 8.97 per hour	\$10.59 per hour
117.	Junior Draftsman .....	\$ 7.65 per hour	\$12.98 per hour
118.	Junior Engineering Aide .....	\$ 5.46 per hour	\$13.23 per hour
119.	Laboratory Assistant .....	\$ 6.04 per hour	\$14.43 per hour
120.	Laboratory Helper .....	\$ 5.15 per hour	\$11.40 per hour
121.	Landscape Architect .....	\$ 9.50 per hour	\$21.58 per hour
122.	Lead Pressman .....	\$ 8.93 per hour	\$16.81 per hour
123.	Life Guard .....	\$ 5.15 per hour	\$ 9.90 per hour
124.	Life Guard Captain .....	\$ 7.14 per hour	\$ 9.90 per hour

125.	Mechanical Engineer .....	\$ 9.50 per hour	\$22.85 per hour
126.	Messenger .....	\$ 5.15 per hour	\$11.40 per hour
127.	Meter Reader .....	\$11.62 per hour	\$13.92 per hour
128.	Minority Business Consultant .....	\$11.15 per hour	\$25.43 per hour
129.	Miscellaneous Investigator .....	\$ 5.46 per hour	\$13.23 per hour
130.	Monitoring, Auditing and Evaluation Coordinator .....	\$13.65 per hour	\$16.83 per hour
131.	Office Machine Operator .....	\$ 8.97 per hour	\$11.09 per hour
132.	Offset Duplicating Machine Operator .....	\$ 5.46 per hour	\$13.23 per hour
133.	On The Job Training Specialist .....	\$12.71 per hour	\$16.26 per hour
134.	Park and Recreation Planner .....	\$ 9.51 per hour	\$21.58 per hour
135.	Parking Attendant .....	\$ 6.31 per hour	\$12.25 per hour
136.	Parking Meter Collector .....	\$ 6.32 per hour	\$12.22 per hour
137.	Parking Meter Serviceman .....	\$12.35 per hour	\$12.85 per hour
138.	Permit Processing Specialist .....	\$ 7.00 per hour	\$10.25 per hour
139.	Pharmacist .....	\$10.74 per hour	\$24.13 per hour
140.	Pharmacodependent Rehabilitation Counselor I .....	\$ 6.49 per hour	\$11.71 per hour
141.	Pharmacodependent Rehabilitation Counselor II .....	\$ 7.57 per hour	\$13.84 per hour
142.	Photographer .....	\$ 9.08 per hour	\$16.58 per hour
143.	Photographic Laboratory Technician .....	\$ 6.80 per hour	\$14.43 per hour
144.	Photo-Litho Operator .....	\$ 5.48 per hour	\$13.23 per hour
145.	Physical Director .....	\$ 8.33 per hour	\$14.91 per hour
146.	Plan Examiner .....	\$ 7.96 per hour	\$19.73 per hour
147.	Play Director .....	\$ 5.15 per hour	\$10.44 per hour
148.	Police Radio Technician .....	\$14.84 per hour	\$15.71 per hour
149.	Pressman .....	\$ 7.89 per hour	\$16.27 per hour
150.	Preventive Health Counselor .....	\$13.59 per hour	\$16.87 per hour
151.	Preventive Health Educator .....	\$ 8.89 per hour	\$11.33 per hour
152.	Principal Cashier .....	\$ 7.24 per hour	\$17.77 per hour
153.	Principal Clerk .....	\$10.19 per hour	\$15.11 per hour
154.	Print Shop Helper .....	\$ 9.61 per hour	\$11.20 per hour
155.	Private Secretary .....	\$ 6.71 per hour	\$15.86 per hour
156.	Program Analyst .....	\$16.64 per hour	\$22.99 per hour
157.	Programmer .....	\$ 8.96 per hour	\$20.48 per hour
158.	Programmer Analyst .....	\$ 9.73 per hour	\$22.85 per hour
159.	Property Clerk .....	\$11.37 per hour	\$25.45 per hour
160.	Psychiatric Social Worker .....	\$12.48 per hour	\$16.53 per hour
161.	Psychologist I .....	\$10.74 per hour	\$21.99 per hour
162.	Psychologist II .....	\$12.88 per hour	\$25.93 per hour
163.	Public Health Nursing Aide .....	\$ 9.63 per hour	\$10.57 per hour
164.	Public Health Sanitarian I .....	\$11.58 per hour	\$14.12 per hour
165.	Public Health Sanitarian II .....	\$13.00 per hour	\$15.81 per hour
166.	Public Health Sanitarian III .....	\$14.04 per hour	\$16.49 per hour
167.	Public Health Sanitarian IV .....	\$ 8.78 per hour	\$20.47 per hour
168.	Public Information Officer .....	\$ 7.38 per hour	\$17.44 per hour
169.	Quality Assurance Analyst .....	\$ 8.96 per hour	\$20.47 per hour
170.	Radio Dispatcher .....	\$15.25 per hour	\$15.71 per hour
171.	Radio Technician .....	\$14.41 per hour	\$15.71 per hour
172.	Receptionist .....	\$ 6.06 per hour	\$11.67 per hour
173.	Records Manager .....	\$ 9.84 per hour	\$12.24 per hour
174.	Recreation Aide .....	\$ 5.15 per hour	\$ 8.15 per hour
175.	Recreation Instructor .....	\$ 5.15 per hour	\$12.25 per hour
176.	Recreation Instructor I .....	\$ 5.24 per hour	\$13.04 per hour
177.	Recreation Instructor II .....	\$ 5.46 per hour	\$13.55 per hour
178.	Recreation Instructor III .....	\$ 6.83 per hour	\$14.34 per hour
179.	Recreation Program Supervisor .....	\$ 6.83 per hour	\$13.32 per hour
180.	Redevelopment Advisor .....	\$ 7.96 per hour	\$18.38 per hour
181.	Redevelopment Coordinator .....	\$ 8.38 per hour	\$20.48 per hour
182.	Refrigeration Inspector .....	\$12.92 per hour	\$16.86 per hour
183.	Refugee Outreach Worker .....	\$ 8.40 per hour	\$11.39 per hour
184.	Registered Animal Health Technician .....	\$ 7.94 per hour	\$12.25 per hour
185.	Rehabilitation Advisor .....	\$ 6.71 per hour	\$15.86 per hour
186.	Sanitarian Aide .....	\$10.53 per hour	\$11.88 per hour
187.	Secretary .....	\$ 6.30 per hour	\$13.23 per hour
188.	Secretary to Director of Consumer Affairs .....	\$ 9.51 per hour	\$21.58 per hour
189.	Senior Assistant Architect .....	\$ 7.96 per hour	\$18.38 per hour
190.	Senior Assistant City Planner .....	\$ 7.96 per hour	\$18.38 per hour
191.	Senior Assistant Civil Engineer .....	\$ 7.96 per hour	\$18.38 per hour
192.	Senior Assistant Electrical Engineer .....	\$ 7.96 per hour	\$18.38 per hour
193.	Senior Assistant Mechanical Engineer .....	\$ 7.96 per hour	\$18.38 per hour
194.	Senior Assistant Traffic Engineer .....	\$ 7.96 per hour	\$18.38 per hour
195.	Senior Bacteriologist .....	\$ 6.71 per hour	\$15.86 per hour
196.	Senior Cashier .....	\$ 6.36 per hour	\$15.11 per hour
197.	Senior Chemist .....	\$ 7.53 per hour	\$17.44 per hour
198.	Senior Clerk .....	\$ 9.32 per hour	\$13.23 per hour
199.	Senior Computer Operator .....	\$ 8.96 per hour	\$20.48 per hour
200.	Senior Data Conversion Operator .....	\$ 5.73 per hour	\$13.79 per hour
201.	Senior Development Officer .....	\$12.63 per hour	\$26.87 per hour
202.	Senior Draftsman .....	\$ 8.74 per hour	\$14.82 per hour
203.	Senior Engineering Draftsman and Photographer .....	\$ 7.12 per hour	\$16.58 per hour
204.	Senior Information Control Analyst .....	\$ 7.38 per hour	\$17.44 per hour
205.	Senior Laboratory Technician .....	\$10.86 per hour	\$13.49 per hour
206.	Senior Landscape Architect .....	\$ 9.73 per hour	\$22.85 per hour

207.	Senior Site Inspector - Demolition .....	\$ 8.43 per hour	\$19.43 per hour
208.	Sewer Service Man .....	\$13.58 per hour	\$14.42 per hour
209.	Site Inspector .....	\$ 7.53 per hour	\$17.44 per hour
210.	Social Worker for Homeless .....	\$13.82 per hour	\$17.16 per hour
211.	Starter (Golf) .....	\$ 5.15 per hour	\$10.14 per hour
212.	S.T.D. Clerk .....	\$ 7.88 per hour	\$ 9.80 per hour
213.	Stenographer I .....	\$ 8.86 per hour	\$11.12 per hour
214.	Stenographer II .....	\$ 9.77 per hour	\$12.41 per hour
215.	Stenographer III .....	\$ 7.37 per hour	\$13.79 per hour
216.	Stock Clerk .....	\$ 5.46 per hour	\$13.63 per hour
217.	Storekeeper .....	\$ 6.36 per hour	\$15.53 per hour
218.	Street Obstruction Inspector .....	\$ 6.04 per hour	\$14.43 per hour
219.	Surveyor .....	\$ 8.96 per hour	\$20.48 per hour
220.	Tax Auditor I .....	\$ 7.12 per hour	\$16.58 per hour
221.	Tax Auditor II .....	\$ 7.96 per hour	\$18.38 per hour
222.	Technical Specialist .....	\$ 7.53 per hour	\$17.44 per hour
223.	Technical Specifications Writer .....	\$ 9.08 per hour	\$18.39 per hour
224.	Telephone Operator .....	\$ 5.24 per hour	\$12.70 per hour
225.	Telephone Supervisor .....	\$ 5.46 per hour	\$13.23 per hour
226.	Timekeeper .....	\$ 5.46 per hour	\$13.23 per hour
227.	Traffic Engineer .....	\$ 9.50 per hour	\$21.58 per hour
228.	Traffic Sign and Marking Technician .....	\$12.40 per hour	\$13.23 per hour
229.	Typist .....	\$ 8.99 per hour	\$11.51 per hour
230.	Urban Planning and Development Technician .....	\$ 5.73 per hour	\$13.79 per hour
231.	Utility Adjuster .....	\$ 9.64 per hour	\$14.64 per hour
232.	Vector Control Assistant .....	\$ 8.90 per hour	\$11.04 per hour
233.	Veteran's Counselor .....	\$ 7.38 per hour	\$15.01 per hour
234.	Water Hydraulic Repairman .....	\$13.58 per hour	\$14.42 per hour
235.	Water Meter Repairman .....	\$13.18 per hour	\$14.42 per hour
236.	Water Pipe Repairman.....	\$12.30 per hour	\$14.81 per hour
237.	Water Serviceman .....	\$ 9.05 per hour	\$12.30 per hour
238.	Water System Construction Inspector .....	\$14.20 per hour	\$18.38 per hour

**Section 3.** That existing Section 8 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 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 October 26, 1998.

Effective November 4, 1998.

**Ord. No. 1891-98.**

**By Councilman Johnson (by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with the Longshoreman's Association, Local 1317; and amending Section 17 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 Longshoreman's Association, Local 1317, which contains the terms set forth in File No. 1891-98-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:

<b>Increase</b>	<b>Effective Date of Increase</b>
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 17 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended to read as follows:

Section 17. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Bridge Attendant.....	\$7.82 per hour	\$12.11 per hour
2. Electric Bridge Operator .....	\$9.39 per hour	\$14.62 per hour

**Section 3.** That existing Section Section 17 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 October 26, 1998.

Effective November 5, 1998.

**Ord. No. 1892-98.**  
**By Councilman Cimperman.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 13. (Steven Spalek).**  
 Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council, expressed by ordinance, is a prerequisite to peddle upon the public rights of way outside of the Central Business District; and  
 Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 13; 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 consents, as required by Section 675.07 of the Codified Ordinances, to allow each person named below to engage in peddling in the public rights of way of Ward 13: Steven Spalek on West 24th Street near Lorain Avenue.  
**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.  
**Section 3.** That the privilege granted herein may be revoked at any time by this Council.  
**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 October 26, 1998.  
 Effective November 5, 1998, without the signature of the Mayor.

**COUNCIL COMMITTEE MEETINGS**

**Wednesday, November 4, 1998**

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

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Gulley, Anita Juan (R 1960-98)..... 1873

Morrison, Mamie Mae (R 1980-98) ..... 1873

Turner, James G. (R 1976-98) ..... 1873

Watson, Thomas S. Jr. (R 1981-98)..... 1873

**Congratulations**

Brown, Helen M. (R 1990-98)..... 1873

Herrod, Chester and Gladys (R 1988-98)..... 1873

Johnson, Russell (R 1984-98) ..... 1873

Knights of Columbus, Northeast Council #2786 (R 1989-98)..... 1873

Lewis, Sister Ethel (R 1986-98)..... 1873

O'Connor, Rosemary (R 1983-98) ..... 1873

Prok, Reverend Myron (R 1985-98) ..... 1873

The Fantastic Violinaires (R 1987-98) ..... 1873

**Contracts**

Lorain Avenue sewer replacement project — alterations and modification in Contract No.  
 49858 — Independence Excavating — Division of Water Pollution Control  
 (O 1941-98) ..... 1874

**Division of Correction**

Enact new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62 and 135.63 to transfer  
 of Div. of Corrections to Department of Public Safety; amend Sections 135.01  
 and 141.02; repeal 141.06, 141.07, 141.071, 141.072, 141.08, 141.081, & 141.09  
 (O 1950-98) ..... 1878

**Economic Development Department**

Aetna Road at Broadway Avenue (Ward 12) — declaring the necessity and intention to  
 appropriate property for the public use of re-aligning (R 1963-98)..... 1885

Boise Cascade Office Products - Enterprise Zone Agreement - ten year abatement - Economic  
 Development. (O 1610-98) ..... 1892-1894

Empowerment Zone Business Opportunity contract - with Mary Daniels - 1216-20 East 105th  
 Street - Economic Development (O 1731-98)..... 1901

Roadwork improvements — construction and engineering — South Waterloo Road at Collinwood  
 Yards Industrial Park — apply for and accept grant — \$62,000 from State of Ohio  
 — Economic Development Department (O 1959-98)..... 1882

Sell City-owned property on Miles Avenue to Rite Aid of Ohio, Inc. - Purchases and  
 Supplies (O 1729-98)..... 1892-1894

Sords Holdings, Ltd. — provide economic development assistance to purchase and renovate  
 property at 12911 Taft Avenue — Economic Development Department (O 1961-98) ..... 1882

**Encroachments**

East 40th Street at Carnegie Avenue — encroachment — Ameritech — Service Department  
 (O 1644-97)..... 1891-1893

**Enterprise Zone Agreement**

Boise Cascade Office Products - Enterprise Zone Agreement - ten year abatement - Economic  
 Development. (O 1610-98) ..... 1892-1894

**Equal Opportunity Office**

Denials of Certification - Third Quarter, 1998 (F 1910-98).....	1872
MBEs/FBEs deleted from OEO's Database, Third Quarter, 1998 - Office of Equal Opportunity (F 1911-98) .....	1872

**Finance Department**

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies certifying them to the County Auditor - Department of Finance (R 1859-98).....	1892-1895
Amend Ordinance No. 816-98 - issuance of a series of Public Power System Revenue Bonds of the City of Cleveland, Ohio (O 1861-98) .....	1893-T
Approving collective bargaining agreement with Local 100, AFSCME Ohio Council 8, AFL-CIO - amending Section 8 of Ordinance No. 436-97 - compensation for various classifications (O 1890-98) .....	1903
Approving collective bargaining agreement with the Longshoreman's Association, Local 1317 - amending Section 17 of Ordinance No. 436-97 - compensation for various classifications (O 1891-98) .....	1906
Contract with Data Compression Technology - purchase and installation of STAX software for record retrieval (O 1763-98) .....	1902
Enact Section 127.42 of Codified Ordinances relating to transfer of Bureau of Vital Statistics to the Division of Assessments and Licenses — repeal Section 141.18 of Codified Ordinances (O 1940-98) .....	1874
Income tax statements and returns — manufacturing, printing, encoding, sorting, and mailing — contract — Division of Taxation (O 1939-98).....	1873
Pay the cost of extraction of 1997 Ohio income tax master file data - Finance (O 1762-98) .....	1902
Requesting the County Auditor to make tax advances during the year 1999 (R 1860-98) .....	1893-1895
Requirement contract - messenger services - various divisions of City government - period not to exceed two years (O 1813-98) .....	1892-1895
Requirement contract - paper stock and envelopes, for the various division of City government (O 1812-98) .....	1892-1895

**Fire Division**

Firefighter entrance examinations — develop, administer and grade — perform job analysis — contract — Barrett & Associates — Civil Service Commission (O 1953-98).....	1880
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**Garage Sale**

Amend Sections 337.23 and 350.13 of Codified Ordinances relating to Accessory Uses and Signs in residence districts (O 1962-98) .....	1883
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**Gifts**

The Age Line Courteous Care for later life — \$50.00 donation — From the Department of Public Safety (F 1912-98) .....	1872
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**Grants**

1998-1999 Drug Prevention, Treatment and Intervention Program — apply for and accept grant - \$464,530.00 — Alcohol and Drug Addiction Services Board of Cuyahoga County — Health Department (O 1247-98).....	1901
Apply for and accept grants from the U. S. Environmental Protection Agency — \$366,269 and Ohio Environmental Protection Agency —\$917,452 and purchase equipment and supplies to implement Program — Division of Public Health (O 1724-98) .....	1892-1894
Roadwork improvements — construction and engineering — South Waterloo Road at Collinwood Yards Industrial Park — apply for and accept grant — \$62,000 from State of Ohio — Economic Development Department (O 1959-98).....	1882

**Health Division**

1998-1999 Drug Prevention, Treatment and Intervention Program — apply for and accept grant - \$464,530.00 — Alcohol and Drug Addiction Services Board of Cuyahoga County — Health Department (O 1247-98).....	1901
Apply and accept a grant from the Ohio Department of Health - the Infant Mortality Reduction (Initiative) Grant - contract with Lutheran Metropolitan Ministry - Department of Public Health (O 1766-98) .....	1892-1894
Apply for and accept grants from the U. S. Environmental Protection Agency — \$366,269 and Ohio Environmental Protection Agency —\$917,452 and purchase equipment and supplies to implement Program — Division of Public Health (O 1724-98) .....	1892-1894

**Land Reutilization Program**

East 57th Street, 3709 (Ward 12) — sell to Broadway Area Housing Coalition or designee  
(O 1957-98) ..... 1881

East 84th Street, 1629 and 1633 (Ward 7) — sell to Michael R. Acree and Annie L. Acree  
(O 1966-98) ..... 1886

East 84th, 1641 and 1645; Linwood Avenue, 8403 (Ward 7) — sell to Freddi Love and Olivia  
Love (O 1965-98) ..... 1886

Eddy Road, 806 and 802 (Ward 9) — sell to Northeastern Neighborhood Development  
Corporation or designee (O 1967-98) ..... 1887

Goodman Avenue, 8303 (Ward ) — sell to Eric J. Stopar (O 1958-98) ..... 1882

**Liquor Permits**

Center Street, 1101 first floor (Ward 13) — Crooked River Brewing Company, L.L.C. dba  
Crooked River Brewing Company, L.L.C. — Transfer of Ownership Application — 1825732  
(F 1923-98) ..... 1873

East 105th Street, 1144 (Ward 8) — Royal Foods, Inc., dba Royal Eagle — Transfer  
of Ownership and Location Application — 75642110005 (F 1926-98) ..... 1873

East 105th Street, 1144 (Ward 8) — objecting to transfer of location of C1 and C2 Liquor  
Permit (R 1975-98) ..... 1890

East 123rd Street, 3916 first floor (Ward 2) — objection to transfer of ownership of C2,  
C2X and D6 Liquor Permit (R 1979-98) ..... 1891

East 128th Street (Ward 6) — objecting to issuance of D4 Liquor Permit (R 1969-98) ..... 1888

East 131st Street, 3779 (Ward 3) — Sandra A. Bennett dba B & B Carryout — New Application  
— 062289 (F 1917-98) ..... 1873

East 140th Street, 662 first floor and basement (Ward 10) — objection to transfer  
of ownership of C2 and C2X Liquor Permit (R 1972-98) ..... 1889

Lakeshore Boulevard, 16826 (Ward 11) — Transfer of Ownership Application — 6551142  
(F 1936-98) ..... 1873

Lorain Avenue, 11702 (Ward 19) — Rite Aid of Ohio, Inc., dba Rite Aid 3486 — Transfer  
of Location Application — 740156034861 (F 1925-98) ..... 1873

Professor Street, 2379 (Ward 13) — Daniel J. Brown — Transfer of Ownership and Location  
Application — 0378394 (F 1927-98) ..... 1873

Sackett Avenue, 2909 (Ward 14) — Luis A. Bugos — Transfer of Ownership Application —  
1108398 (F 1922-98) ..... 1873

St. Clair Avenue, 5510 and Pumps (Ward 13) — Burkann's, Inc. — Transfer of Ownership  
Application — 1115325 (F 1920-98) ..... 1873

St. Clair Avenue, 5510 and gas pumps (Ward 13) — objecting to transfer of ownership of  
C1 Liquor Permit (R 1971-98) ..... 1888

St. Clair Avenue, 6611 (Ward 13) — Jimmie Richard — Transfer of Ownership Application  
— 4289654 (F 1921-98) ..... 1873

St. Clair Avenue, 6611 (Ward 13) — objecting to transfer of ownership of D5 and D6 Liquor  
Permit (R 1970-98) ..... 1888

Storer Avenue, 5004 (Ward 17) — withdrawing objection to transfer of ownership of D1,  
D2, D3 and D3A Liquor Permit — repeal Resolution No. 1826-98 (R 1974-98) ..... 1890

Transport Road, 2700 (Ward 13) — United Truck Stop, Inc. — New Application — 9163130  
(F 1916-98) ..... 1873

Wade Park, 9300 Unit A 38 (Ward 7) — objecting to transfer of ownership and location of  
C2, C2X and D6 permit (R 1973-98) ..... 1889

Warner Road, 4563 (Ward 2) — Warner, Inc., dba Warner Mart — Transfer of Ownership  
Application — 2848404 (F 1919-98) ..... 1873

Warner Road, 4563 (Ward 2) — objecting to transfer of ownership of C1 and C2 Liquor  
Permit (R 1978-98) ..... 1890

Waterloo Road 15504 and gas pumps (Ward 11) — Marathon Freeway, Inc., dba Freeway  
Marathon, Inc., — transfer of Ownership and Location Application — 29115990005  
(F 1937-98) ..... 1873

West 130th Street, 4282 — El-Beriha Corporation, dba J. J.'s Food and Deli — Transfer  
of Ownership Application — 26442480005 (F 1918-98) ..... 1873

West 150th Street, 4181 (Ward 20) — Hudson Hotels Corporation dba Holiday Inn Airport  
— Transfer of Ownership Application — 404170 (F 1924-98) ..... 1873

West 150th Street, 4181 (Ward 20) — objecting to transfer of ownership of D5A and  
D6 Liquor Permit (R 1977-98) ..... 1890

**Mayor**

Veto letter from Mayor White of Ord. No. 1845-98 (F 1845-98-A) ..... **1871-V**

Amend the title and Section 1 of Ordinance No. 1771-98 - street naming - Robert Lockwood,  
Jr. (O 1888-98) ..... **1902**

**Mounted Unit**

Horses — contract of supplies needed for care and feeding — Mounted Unit — Police  
 Division (O 1952-98) ..... 1880

**Oath of Office**

Hudecek, Linda M. — oath of office — Director of Department of Community Development  
 (F 1933-98) ..... 1873  
 Roberts, David D. — oath of office — Assistant Director of Development for  
 the Department of Port Control (F 1934-98) ..... 1873

**Parks, Recreation and Properties Department**

Cleveland Industrial park — sell property — Euro-USA (O 1651-97) ..... 1891-1893  
 East 131st, city-owned property located on northwest corner and East 131st Street  
 and Iroquois Avenue — sell to Umstead Management & Construction Company  
 — Department of Parks Recreation and Properties (O 1955-98) ..... 1881  
 Marshall Avenue, PPN 127-11-084 — authorize Director of Community Development to transfer  
 property to the control, possession and use of Parks, Recreation and Properties  
 Department (O 1264-98) ..... 1892-1893  
 Permanent Parcel Nos. 004-02-036 and 004-02-037 (Ward 13) — authorize Director of  
 Community Development to transfer to the control, possession and use of Parks,  
 Recreation and Properties Department (O 1265-98) ..... 1892-1893  
 Plumbing and heating equipment and supplies — contract — Division of Property Management  
 (O 1956-98) ..... 1881  
 Youth Ski Lessons — contract — Recreation Division (O 1968-98) ..... 1887

**Peddlers**

Spalek, Steven - peddling in Ward 13 (O 1892-98) ..... **1907**

**Permits**

Issue a permit to Great Lakes Theater Festival - banner - Euclid Avenue at Playhouse  
 Square - December 1, 1998 to December 31, 1998 (O 1889-98) ..... **1902**

**Police Division**

Horses — contract of supplies needed for care and feeding — Mounted Unit — Police  
 Division (O 1952-98) ..... 1880  
 Police entrance examinations, develop, administer and grade — perform job analysis —  
 contract — Coleman & Associates — Civil Service Commission (O 1951-98) ..... 1880

**Port Control Department**

Notification of Set Aside Req. #13369 — from the Department of Port Control  
 (F 1935-98) ..... 1873  
 Roberts, David D. — oath of office — Assistant Director of Development for  
 the Department of Port Control (F 1934-98) ..... 1873

**Property Management Division**

Plumbing and heating equipment and supplies — contract — Division of Property Management  
 (O 1956-98) ..... 1881

**Public Hearing Notice**

East 83rd Street and Carnegie Avenue, N. E., northwesterly corner (Ward 6) — change use  
 and area district of lands (O 1423-98) ..... 1900  
 Lake Shore Boulevard and East 146th Street (Ward 11) — change use district of lands  
 (O 1270-98) ..... 1900  
 Larchwood Avenue, S.W., Chatfield Avenue, S.W. West 166th Street, Rocky River Drive, S.  
 W. (Ward 21) — change use and area district of lands (O 1269-98) ..... 1900  
 West 65th Street west side of and east of West 67th Street between I-90 and north of Clark  
 Avenue, S. W. (Ward 18) — change the use and area districts of lands (O 1424-98) ..... 1900

**Purchases and Supplies Department**

Emergency Requisition — RE-10578 — Division of Purchases and Supplies (F 1915-98) ..... 1873  
 Requirement Contract/Monthly Report — October, 1998 — Division of Purchases and Supplies  
 (F 1913-98) ..... 1872  
 Sell City-owned property on Miles Avenue to Rite Aid of Ohio, Inc. - Purchases and  
 Supplies (O 1729-98)..... 1892-1894

**Purchases/Contracts**

Air compressors with air tool, fifteen — contract — Division of Water  
 (O 1942-98) ..... 1875  
 Building maintenance services — labor and materials — contract — Cleveland Public Power  
 (O 1943-98) ..... 1875  
 Fire and extended insurance coverage for various locations within the Division of  
 Cleveland Public Power — extend Contract No. 49448 with Hylant Maclean  
 (O 1946-98) ..... 1875  
 Firefighter entrance examinations — develop, administer and grade — perform job analysis  
 — contract — Barrett & Associates — Civil Service Commission (O 1953-98)..... 1880  
 Flasher safety lights, arrow bars, traffic control devises — contract — Department of  
 Public Utilities (O 1945-98) ..... 1875  
 Hauling and disposal of water plant residuals — Division of Water (O 1944-98)..... 1875  
 Horses — contract of supplies needed for care and feeding — Mounted Unit — Police  
 Division (O 1952-98) ..... 1880  
 Income tax statements and returns — manufacturing, printing, encoding, sorting, and  
 mailing — contract — Division of Taxation (O 1939-98)..... 1873  
 Plumbing and heating equipment and supplies — contract — Division of Property Management  
 (O 1956-98) ..... 1881  
 Safety equipment — contract — various divisions of Department of Public Safety  
 (O 1954-98) ..... 1880  
 Youth Ski Lessons — contract — Recreation Division (O 1968-98) ..... 1887

**Real Estate**

East 131st, city-owned property located on northwest corner and East 131st Street  
 and Iroquois Avenue — sell to Umstead Management & Construction Company  
 — Department of Parks Recreation and Properties (O 1955-98) ..... 1881  
 Marshall Avenue, PPN 127-11-084 — authorize Director of Community Development to transfer  
 property to the control, possession and use of Parks, Recreation and Properties  
 Department (O 1264-98)..... 1892-1893  
 Permanent Parcel Nos. 004-02-036 and 004-02-037 (Ward 13) — authorize Director of  
 Community Development to transfer to the control, possession and use of Parks,  
 Recreation and Properties Department (O 1265-98) ..... 1892-1893

**Recognitions**

Mackie, Laurence Gerard (R 1991-98) ..... 1873

**Recreation Division**

Youth Ski Lessons — contract — Recreation Division (O 1968-98) ..... 1887

**Resolutions — Miscellaneous**

Urging representatives of Carpet Barn to comply fully and quickly with state laws  
 (R 1893-98) ..... 1901

**Safety Department**

Apply for and accept a grant from the Department of Justice - Office for State and Local  
 Domestic Preparedness for the State and Local Domestic Preparedness Equipment Support  
 Program - Department of Public Safety (O 1726-98) ..... 1892-1894  
 Enact new Sections 135.57, 135.58, 135.59, 135.60, 135.61, 135.62 and 135.63 to transfer  
 of Div. of Corrections to Department of Public Safety; amend Sections 135.01  
 and 141.02; repeal 141.06, 141.07, 141.071, 141.072, 141.08, 141.081, & 141.09  
 (O 1950-98) ..... 1878  
 Firefighter entrance examinations — develop, administer and grade — perform job analysis  
 — contract — Barrett & Associates — Civil Service Commission (O 1953-98)..... 1880  
 Horses — contract of supplies needed for care and feeding — Mounted Unit — Police  
 Division (O 1952-98) ..... 1880

Police entrance examinations, develop, administer and grade — perform job analysis — contract — Coleman & Associates — Civil Service Commission (O 1951-98) ..... 1880

Repeal Sections 131.14 and 131.15 — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 relating duties Traffic Engineering Commissioner (O 1949-98) ..... 1876

Safety equipment — contract — various divisions of Department of Public Safety (O 1954-98) ..... 1880

The Age Line Courteous Care for later life — \$50.00 donation — From the Department of Public Safety (F 1912-98) ..... 1872

**Salaries**

Approving collective bargaining agreement with the Longshoreman's Association, Local 1317 - amending Section 17 of Ordinance No. 436-97 - compensation for various classifications (O 1891-98) ..... **1906**

Approving collective bargaining agreement with Local 100, AFSCME Ohio Council 8, AFL-CIO - amending Section 8 of Ordinance No. 436-97 - compensation for various classifications (O 1890-98) ..... **1903**

**Service Department**

East 40th Street at Carnegie Avenue — encroachment — Ameritech — Service Department (O 1644-97) ..... 1891-1893

Repeal Sections 131.14 and 131.15 — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 relating duties Traffic Engineering Commissioner (O 1949-98) ..... 1876

**Signs**

Amend Sections 337.23 and 350.13 of Codified Ordinances relating to Accessory Uses and Signs in residence districts (O 1962-98) ..... 1883

**Sords Holdings, Ltd.**

Sords Holdings, Ltd. — provide economic development assistance to purchase and renovate property at 12911 Taft Avenue — Economic Development Department (O 1961-98) ..... 1882

**Statement of Work Acceptance**

Contract No. 51223 — Luke Easter Park Landscaping Improvement — Division of Research, Planning, and Development (F 1932-98) ..... 1873

Contract No. 51425 (04-96 — New Cleveland Browns N.F.L. Football Stadium Mass Excavation and Piling — Division of Architecture (F 1929-98) ..... 1873

Contract No. 51519A — work on Baldwin Site Improvement IV, completed and accepted as of May 29, 1999 — Department of Public Utilities (F 1930-98) ..... 1873

Contract No. 52243 Belmont Park / Thrush Park Site Improvements — Division of Research, Planning, and Development (F 1931-98) ..... 1873

Contract No. 52772 — Improvement of Mark Tromba Park — Department of Parks, Recreation, and Properties (F 1928-98) ..... 1873

**Streets - Vacation**

Portions of Harvard Pl., S.E. and unnamed Alley West of Harvard Pl., S.E. and Northerly of Harvard Avenue - intention to vacate. (R 1614-98) ..... 1892-1895

Sommer Court, N.W. - intention to vacate - Public Service. (R 1613-98) ..... 1892-1895

Stone Court N.W. (portion) — street vacation (O 1600-98) ..... 1892-1894

West 42nd Street, West 44th Place, and Stardale Court, S. W. (Ward 15) — declaring intention to vacate portions of (R 1964-98) ..... 1885

West 62nd Place - portion - intention to vacate. (R 1615-98) ..... 1892-1895

**Tabled Legislation**

Amend Ordinance No. 816-98 - issuance of a series of Public Power System Revenue Bonds of the City of Cleveland, Ohio (O 1861-98) ..... **1893-T**

**Traffic Commissioner**

Repeal Sections 131.14 and 131.15 — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 relating duties Traffic Engineering Commissioner (O 1949-98) ..... 1876

**Traffic Engineering Division**

Repeal Sections 131.14 and 131.15 — transfer of Division of Traffic Engineering to Department of Public Service; enact new Sections 131.14 and 131.15; amend Sections 131.12, 403.03 and 403.06 relating duties Traffic Engineering Commissioner (O 1949-98) ..... 1876

**Unions**

Approving collective bargaining agreement with Local 100, AFSCME Ohio Council 8, AFL-CIO - amending Section 8 of Ordinance No. 436-97 - compensation for various classifications (O 1890-98) ..... 1903

Approving collective bargaining agreement with the Longshoreman's Association, Local 1317 - amending Section 17 of Ordinance No. 436-97 - compensation for various classifications (O 1891-98) ..... 1906

**Utilities Department**

Air compressors with air tool, fifteen — contract — Division of Water (O 1942-98) ..... 1875

Amend Ordinance No. 816-98 - issuance of a series of Public Power System Revenue Bonds of the City of Cleveland, Ohio (O 1861-98) ..... 1893-T

Detention tank piping in the Arbor/Taft area — public improvement — Water Pollution Control (O 1947-98) ..... 1876

Detention tank piping in the Woodside/Edmonton area — public improvement — Water Pollution Control Division (O 1948-98) ..... 1876

Fire and extended insurance coverage for various locations within the Division of Cleveland Public Power — extend Contract No. 49448 with Hylant Maclean (O 1946-98) ..... 1875

Flasher safety lights, arrow bars, traffic control devises — contract — Department of Public Utilities (O 1945-98) ..... 1875

Lorain Avenue sewer replacement project — alterations and modification in Contract No. 49858 — Independence Excavating — Division of Water Pollution Control (O 1941-98) ..... 1874

**Veto**

Veto letter from Mayor White of Ord. No. 1845-98 (F 1845-98-A) ..... 1871-V

**Water Division**

Air compressors with air tool, fifteen — contract — Division of Water (O 1942-98) ..... 1875

Hauling and disposal of water plant residuals — Division of Water (O 1944-98) ..... 1875

**Water Pollution Control Division**

Detention tank piping in the Arbor/Taft area — public improvement — Water Pollution Control (O 1947-98) ..... 1876

Detention tank piping in the Woodside/Edmonton area — public improvement — Water Pollution Control Division (O 1948-98) ..... 1876

Lorain Avenue sewer replacement project — alterations and modification in Contract No. 49858 — Independence Excavating — Division of Water Pollution Control (O 1941-98) ..... 1874

**Zoning Code**

Amend Sections 337.23 and 350.13 of Codified Ordinances relating to Accessory Uses and Signs in residence districts (O 1962-98) ..... 1883

**Zoning**

East 83rd Street and Carnegie Avenue, N. E., northwesterly corner (Ward 6) — change use  
and area district of lands (O 1423-98) ..... 1900

Lake Shore Boulevard and East 146th Street (Ward 11) — change use district of lands  
(O 1270-98) ..... 1900

Larchwood Avenue, S.W., Chatfield Avenue, S.W. West 166th Street, Rocky River Drive, S.  
W. (Ward 21) — change use and area district of lands (O 1269-98) ..... 1900

West 65th Street west side of and east of West 67th Street between I-90 and north of Clark  
Avenue, S. W. (Ward 18) — change the use and area districts of lands (O 1424-98) ..... 1900