

# The City Record

Official Publication of the City of Cleveland

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January the Seventh, 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.....	1009 Kenilworth Avenue	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.....	6109 West Clinton Avenue	44102
18	Jay Westbrook.....	10513 Clifton Boulevard	44102
19	Joseph J. Zone.....	3323 West 130th Street	44111
20	Martin J. Sweeney.....	3632 West 133rd Street	44111
21	Michael A. Dolan.....	16519 West Park Road	44111

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

**MAYOR-Michael R. White**  
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy  
Barry Withers, Executive Assistant for Administration  
Judith Zimomra, Executive Assistant for Service  
Kenneth Silliman, Executive Assistant for Economic Development  
Richard Werner, Executive Assistant for Governmental Affairs.  
Susan E. Axelrod, Executive Assistant for Communications and Support Services  
Laura Ann Williams, Acting Director, Office of Equal Opportunity

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

**DEPT. OF FINANCE - Martin L. Carmody, Director, Room 104; Carlean Alford, Manager, Internal Audit**  
DIVISIONS - Accounts - Howard Frank, Acting Commissioner, Room 19  
City Treasury - Mary Christine Jackman, Treasurer, Room 115  
Assessments and Licenses - Robert J. Schneider, Commissioner, Room 122  
Purchases and Supplies - William A. Moon, Commissioner, Room 128  
Printing and Reproduction - James D. Smith, Commissioner, 1735 Lakeside Avenue  
Taxation - Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue  
Financial Reporting and Control - Keith D. Schuster, Controller, Room 18  
Information Systems Services - Hamid Manteghi, Commissioner, 1404 E. 9th St.

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

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

**DEPT. OF PUBLIC SERVICE - Henry Guzmán, Director, Room 113**  
DIVISIONS - Waste Collection and Disposal - Larry Hines, Commissioner, 5600 Carnegie Avenue.  
Streets - Randell T. Scott, Commissioner, Room 25  
Engineering and Construction - J. Christopher Nielson, Acting Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards  
Architecture - Kenneth Nobile, Commissioner, Room 517

**DEPT. OF PUBLIC HEALTH - Robert O. Staib, Director, Mural Building 1925 St. Clair Avenue.**  
DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue  
Environment - Joseph W. Jasper, Jr., Commissioner, Mural Building, 1925 St. Clair Avenue  
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

**DEPT. OF PUBLIC SAFETY - William M. Denihan, Director, Room 230.**  
DIVISIONS - Police - Rocco Pollutro, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street  
Fire - Robert M. Derrit, Acting Chief, 1645 Superior Avenue  
Traffic Engineering & Parking - David Ritz, Commissioner, 2001 Payne Ave.  
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

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

Parking Facilities - 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 - M. Fallon, Commissioner, Burke Lakefront Airport

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

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

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

**DEPT. OF AGING - Rm. 122, Delores A. Lynch, Director**

**COMMUNITY RELATIONS BOARD - Room 11, Tony Charles, 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; Donna K. Nelson, Secretary; Margaret Hopkins, Member, Earl Preston, Member.**

**SINKING FUND COMMISSION - Michael R. White, President; Betsy Hruby, Asst. Sec'y.; \_\_\_\_\_, Director; President of Council Jay Westbrook.**

**BOARD OF ZONING APPEALS - Room 516, Carol Johnson, Chairman; Members; Chris Carmody, Anna Chatman, Ozell Dobbins, Tony Petkovsek, Hunter Morrison, Acting Sec'y.**

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

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

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

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

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

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

**MORAL CLAIMS COMMISSION - Sharon Sobol Jordan, \_\_\_\_\_, Councilman Jay Westbrook.**

**BOARD OF EXAMINERS OF ELECTRICIANS - Raymond Ossovicki, Chairman; \_\_\_\_\_, Anton J. Eichmuller, Samuel Montfort J. Gilbert Steele, Laszlo V. Kemes, Secretary.**

**BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chrm.; Earl S. Bumgarner, \_\_\_\_\_, Jozef Valencik, Martin Gallagher, Laszlo V. Kemes, Secretary.**

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

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

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

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

# The City Record



OFFICIAL PUBLICATION OF THE CITY OF CLEVELAND

Vol. 85

WEDNESDAY, JANUARY 7, 1998

No. 4387

## CITY COUNCIL

MONDAY, JANUARY 5, 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

10:00 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 January 5, 1998.  
Councilmembers-Elect present: Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone.

Also present were Mayor White, and Directors Sobol-Jordan, Carmody, Konicek, Guzman, Staib, Denihan, Spellman, Hamilton, Nolan, Warren, Lynch, and Morrison.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with prayers offered by Father Theodore Marzal, Administrative Assistant to Bishop Pilla; Rev. Mark Perry of Williams Chapel Church of God in Christ; Imam Clyde Rahman of Masjid Bilal, Rev. June Begany of Old Stone Church, and Rabbi Jacob Shtull of Shaarey Tikvah Congregation. Captain Wellhouse, along with the East Technical High School Honor Guard led the pledge of allegiance. Mr. Glenn Bruks sang the National Anthem.

#### MOTION

On the motion of Councilman-Elect Britt the reading of the minutes of the last meeting was dispensed with and the journal approved.

#### CERTIFICATES OF ELECTIONS

##### File No. 1-98.

From the Cuyahoga County Board of Elections — Mayor and Councilmen Wards 1 through 21 — November 4, 1997 General Election. Received.

#### OATH OF OFFICE MEMBERS OF COUNCIL

The Oath of Office was administered to the Council by Congressman Louis V. Stokes and Congressman Dennis J. Kucinich.

##### File No. 2-98.

To The Honorable Council of the City of Cleveland:

Ladies and Gentlemen:

I hereby certify to you that there has been filed in the Office of the Clerk of Council, the Oath of Office

required by Section 194 of the Charter of the City of Cleveland, subscribed by the following Councilmembers:

Ward 1 — Joseph T. Jones  
Ward 2 — Robert J. White  
Ward 3 — Odelia V. Robinson  
Ward 4 — Kenneth L. Johnson  
Ward 5 — Frank G. Jackson  
Ward 6 — Patricia J. Britt  
Ward 7 — Fannie M. Lewis  
Ward 8 — William W. Patmon  
Ward 9 — Craig E. Willis  
Ward 10 — Roosevelt Coats  
Ward 11 — Michael D. Polensek  
Ward 12 — Edward W. Rybka  
Ward 13 — Joe Cimperman  
Ward 14 — Nelson Cintron, Jr.  
Ward 15 — Merle R. Gordon  
Ward 16 — Larry Moran  
Ward 17 — Timothy J. Melena  
Ward 18 — Jay Westbrook  
Ward 19 — Joseph J. Zone  
Ward 20 — Martin J. Sweeney  
Ward 21 — Michael A. Dolan

Very truly yours,  
ARTHA WOODS  
City Clerk  
Clerk of Council

#### ELECTION OF TEMPORARY CHAIRMAN

Councilman Jay Westbrook moved that in order to expedite the orderly organization of this Council, that Councilman Roosevelt Coats serve as Temporary Chairman for the purpose of organizing the Council. Councilman William Patmon seconded the motion. Without objection, the nominations were closed.

Councilman Coats received 20 votes. Those who voted for Councilman Coats were: Councilmen Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone. Absent: Councilman Johnson.

Councilman Coats assumed the Chair and thanked the Councilmembers for giving him the opportunity to serve as Temporary Chairman.

#### ELECTION OF COUNCIL PRESIDENT

The Temporary Chairman stated the next order of business was the election of the President of Council.

Councilman Odelia Robinson nominated Councilman Jay Westbrook as President of the Council for the 1998-2001 Council Term. Councilman Larry Moran seconded the nomination and moved that the nominations for Council President be closed. The Temporary Chairman instructed the members of Council to state the name of the candidate when responding to the roll call and requested the Clerk to call the roll on the election of President of Council.

After completion of the roll call, the Clerk announced that Councilman Jay Westbrook received 20 votes. Those voting for Councilman Westbrook were: Councilmen Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Johnson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone. Absent: Councilman Johnson.

The Clerk declared that Councilman Jay Westbrook, having received the unanimous vote of all the members elected to Council was the duly elected 1998-2001 President of Council.

The Temporary Chairman called to the Chair the newly elected President of Council, escorted by his wife, Helen Williams, daughters Abbey and Katie, and Mrs. Mercedes Cotner. The Hon. Judge Jose A. Villanueva administered the Oath of Office to Councilman Jay Westbrook as the newly elected 1998-2001 President of Council, who then assumed the duties of his office.

#### ELECTION OF COUNCIL CLERK

Councilman Frank Jackson moved that Council proceed with the selection of a Clerk of Council and placed in nomination the name of Mrs. Artha Woods for the 1998-2001 Council Term. Councilman Martin J. Sweeney seconded the nomination and moved that the nominations for Clerk of Council be closed. Council President Westbrook instructed the members of Council to state the name of the candidate when responding to the roll call and requested the Clerk to call the roll on the election of Clerk of Council.

After completion of the roll call, the Clerk announced that Artha Woods received 20 votes. Those voting for Artha Woods were: Councilmen Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone. Absent: Councilman Johnson.

The Chair declared that Artha Woods, having received the unanimous vote of all the members elected to Council to be the duly elected 1998-2001 Clerk of Council.

The President of Council requested Mrs. Woods' granddaughters, Mrs. Deborah Enty and Mrs. Gail Ozzane to escort the newly elected Council Clerk to the Chair. Judge Patricia Ann Blackmon administered the Oath of Office to the newly elected Clerk of Council, who assumed the duties of her office.

#### RULES OF COUNCIL

Councilman Roosevelt Coats moved that the Rules of Council for 1994-1997 be adopted as the Rules of Council for the years 1998-2001. Councilman Larry Moran seconded the motion. Without objection, the motion was agreed to.

Council President Westbrook declared the Cleveland City Council for 1998-2001 duly organized and called the Council to order in regular session and directed the Clerk to call the roll. The following members answered present to the roll call: Councilmen Britt, Cimperman, Cintron, Coats, Dolan, Gordon, Jackson, Jones, Lewis, Melena, Moran, Patmon, Polensek, Robinson, Rybka, Sweeney, Westbrook, White, Willis, Zone. Absent: Councilman Johnson.

#### OATH OF OFFICE

**File No. 3-98.**  
Of Jay Westbrook as President of Council. Received.

**File No. 4-98.**  
Of Artha Woods as Clerk of Council. Received.

#### RULES OF COUNCIL

**File No. 5-98.**  
Rules of Council for the years 1998-2001. Received.

Personal expressions were addressed to the body by the Council President, Councilmembers and Council Clerk. Remarks were also made by Mayor Michael R. White. The meeting ended with the appearance of the Chinese Lion. The Chinese Lion is a symbol of prosperity and good fortune.

The Council adjourned at 10:10 p.m. to meet on Monday, January 12, 1998, at 7:00 p.m.

  
Clerk of Council

#### THE CALENDAR

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

NONE

#### RULES OF COUNCIL

##### RULES OF ORDER GOVERNING THE COUNCIL OF THE CITY OF CLEVELAND 1998-2001

The following rules of order shall govern the procedures of the City Council and the conduct of its members.

##### I. MEETINGS: PLACE, TIME OF CONVENING, QUORUM, ORDER OF BUSINESS

**Rule 1. Meetings—Place.** All meetings of the Council shall be held in the Council chamber in the city hall, unless otherwise ordered by the Council.

**Rule 2. Meetings—Public.** All meetings of the Council or committees thereof shall be public, and upon request of any citizen desiring to be heard on any matter, then under consideration by the Council, the Council may, on motion, resolve itself into a committee of the whole and hear such citizen at such time and for such period as Council may determine. Persons desiring to be heard by any committee of Council on any matter then under consideration, may by consent of such committee be given an opportunity to be heard thereon. All Rules of Council minutes and records of the Council shall be open to the public at all reasonable times.

**Rule 3. Regular Meetings.** After the Council has been organized pursuant to Section 28 of the Charter, regular meetings of the Council

shall be held in the Council chamber every Monday evening at 7:00 o'clock P.M., unless otherwise ordered by motion, resolution or ordinance. Whenever the regular meeting falls on a legal holiday or a special election day — or the day preceding a legal holiday or primary or other election day, the meeting shall be held on a day to be fixed by the Council.

**Rule 4. Summer Schedule.** During the months of July and August the Council shall be on summer schedule and shall meet at such times as shall be set forth in the resolution of Council establishing such schedule.

**Rule 5. Special Meetings.** Special meetings may be called at any time by the Mayor, the President of Council, or any five members upon at least twelve (12) hours written notice to each member of the Council served personally on each member or left at his usual place of residence; provided, however, that no such notice need be served on any councilman present at a meeting of Council at which the president of Council may give oral notice of the time and purpose of a special meeting. Any such notice shall state the subjects to be Rules of Council considered at the meeting, and no other subjects shall be there considered.

**Rule 6. Quorum.** A majority of all the members elected to Council shall be a quorum to do business, but a less number may adjourn from day to day and compel the attendance of absent members in the manner and under such penalties as shall be prescribed by ordinance.

##### Rule 7. Order of Business.

The business of all regular meetings of the Council shall be transacted in the following order, unless the Council by a two-thirds vote shall suspend the rules and change the order.

1. Roll call of members.
2. Prayer.
3. Pledge of Allegiance.
4. Disposal of the journal of the preceding meeting.
5. Reports and communications from the Mayor.
6. Reports and communications from departments, commissions and other public officers.
7. Other communications, petitions and memorials.
8. Reports of standing committees.
9. Reports of special committees.
10. Introduction of ordinances and resolutions.
11. Second reading of ordinances and resolutions.
12. Third reading of ordinances and resolutions.
13. Reading and passage of emergency ordinances and resolutions.
14. Miscellaneous business shall be permitted at the discretion of the chair.
15. Report of the clerk with reference to absence of members.
16. Adjournment.

The presiding officer may at any time without objection of the members of Council permit a member to introduce an ordinance, resolution or motion out of the regular order, provided however, if an objection is made, a two-thirds vote of all members elected to Council shall be required to permit such introduction out of the regular order.

**Rule 8. The Calendar.** It shall be the duty of the clerk to have set aside conspicuously in the City Record a portion to be entitled "The Calendar. The following measures will be on their passage at the next meeting." Under this title the clerk shall arrange and have printed in consecutive order by title all ordinances and resolutions which are on for passage at the next meeting of Council. In the event that any of such ordinances or resolutions have been amended the full text of the operative sections of such ordinance or resolution as amended shall be published in addition to the title thereof. When action upon any measure appearing upon the calendar is postponed to a day certain such measure shall be considered on said day to which postponed whether or not it appears upon the calendar of said day.

## II. OFFICERS AND EMPLOYEES OF COUNCIL

**Rule 9. Presiding Officer.** The President of Council, and in his absence the President of Council pro tempore, shall preside over the meetings of the Council. In the absence of the President of Council the City Clerk shall call the Council to order; and if, after the roll call is called a quorum shall be present, the Council shall choose one of its members President of Council pro tempore, who shall preside until the President of Council appears, but in no event beyond such meeting, and shall discharge all the duties and be clothed with all the powers of the President of Council as such presiding officer during his absence. The presiding officer shall call all meetings of the Council to order at the hour appointed and shall proceed with the order of business. If a quorum be present he shall give the members an opportunity for correcting the journal of the previous meeting, a copy of which shall be placed on the desk of each member of the Council. In the absence of any objections or corrections the minutes shall stand approved. He shall preserve order and decorum, prevent personalities or the impugning of members' motives, confine members in debate to the question under discussion, shall decide all points of order subject to an appeal to the Council, and shall appoint all standing committees and such select committees as may be authorized by Council from time to time, except in those cases where the resolution authorizing such select committees specifically names the membership thereof.

**Rule 10. Members Presiding.** The President of the Council during any meeting thereof may name any member to perform the duties of the chair; but such substitution shall not extend beyond such meeting.

**Rule 11. The Vote Necessary for Election of President, Clerk and Other Employees of Council.** No candidate for President or Clerk of Council shall be declared elected unless he shall have received a majority vote of all members elected to Council and no person shall be employed by this Council except pursuant to a majority vote of all the members elected to Council. No vacancy which Council is authorized to fill shall be filled except pursuant to majority vote of all members elected to Council.

**Rule 11-1. Roll Call upon Election of President, Clerk and Other Employees of Council, and Filling Vacancies in the Membership of Council.** Upon the roll call for the election of President of Council, Clerk of Council or employee of Council, or for filling any vacancy in the membership of Council, each member shall respond by stating the name of the candidate of his choice eligible for such office or appointment, which candidate shall not be required to be a person duly nominated and whose nomination has been duly seconded, provided, however, that no members shall be excused from voting thereon except by unanimous consent.

**Rule 12. The City Clerk.** The Council shall choose a clerk and such other officers and employee as may be deemed necessary and fix their compensation. The clerk shall keep the record of the Council, and the clerk shall be the editor of the City Record. The clerk shall keep a proper file of all papers and documents which are a part of the transactions of the Council, of meetings of committees and all orders of the Council, and shall make such records available to the public. The Clerk shall be secretary to all committees, but may assign an assistant as secretary to any committee. When directed by any committee the clerk shall cause to be kept minutes of each meeting of such committee which shall be kept in record form and be made available for public inspection. The record of committee meetings may be kept in the form of loose sheet records and need not be printed in the City Record nor copied in any other book, except that the clerk shall cause to be printed in the City Record attendance roll calls of committee meetings. In addition, the clerk shall report to Council the absence of members from Council meetings and shall perform such other and further duties as may from time to time by Charter, statute or ordinance be required of the clerk. The City Clerk, as editor of the City Record, shall see that the following rules are observed in the preparation and introduction of ordinances and resolutions and in the editing and printing of the City Record:

(a) The title of all ordinances and resolutions shall be confined to a brief statement of the subject matter of the bill and shall be printed in bold face type.

(b) Preambles or "whereases" in ordinances and resolutions shall be restricted to one emergency preamble required by the Charter, except where a whereas is an essential part of the ordinance or resolution.

(c) Ordinances of a general or permanent nature shall, in their preparation be divided into short sections, wherever practicable, in order to permit amendments being made without printing so much of the original ordinance.

(d) The practice of introducing resolutions of condolence and congratulatory resolutions shall be discontinued except in the case of the death of outstanding citizens or occasion of great civic importance. In lieu of such resolution of condolence the Clerk shall have prepared a suitable memorial which shall be sent to the relatives of the deceased and the City Record shall contain the request of the member of Council for such memorial and the fact that such memorial has been sent.

(e) The minutes and proceedings of administrative boards shall be prepared in abstract form and be printed in six (6) point type in the City Record.

(f) Once each year there shall be prepared for distribution or printed in the City Record a cumulative subject index covering the proceedings of the Council.

**Rule 13. Sergeant-at-arms.** The Council shall appoint a sergeant-at-arms who shall be in attendance at all meetings of Council. The sergeant-at-arms under the direction of the presiding officer shall preserve order in the Council chamber and adjoining rooms, and in the manner to be prescribed by ordinance shall compel the attendance of absent members.

## III. COMMITTEES OF COUNCIL

**Rule 14. Standing Committees.** Not later than the fourth meeting of the Council after its organization, the President of Council shall appoint one (1) standing committee of eleven members; four (4) standing committees of nine (9) members each; and six (6) standing committees of seven (7) members each of whom the first named members shall be chairmen and the second named shall be vice-chairmen. All committee appointments, made under this Rule, including that of chairman and vice-chairman, the vice-chairman shall preside until the chairman appear, and shall discharge all the duties and be clothed with all the powers of the chairman during such absence. In the absence of the chairman and the vice-chairman and a quorum being present, a temporary chairman shall be selected by a majority vote of the members present who shall preside until the chairman or vice-chairman appears and he shall discharge all the duties and be clothed with all the powers of the chairman during such absence.

The eleven member committee and its subject matter is as follows:

COMMITTEE ON FINANCE, to which shall be referred all ordinances, resolutions and other matters pertaining to finances, indebtedness, appropriations, the payment of moneys not provided for by previous legislation, taxation and all matters pertaining to the Departments of Finance, Law and Personnel, the standardization of salaries and wages, union agreements, civil service, the pensioning of employees and the sale, lease or purchase of real estate.

The nine member committees and the subject matters which shall be referred to them shall be as follows:

A. COMMITTEE ON PUBLIC UTILITIES, to which are referred all ordinances, resolutions and other matters pertaining to the City's water supply, sewage disposal, municipal electrical light plant and all matters pertaining to the Department of Public Utilities, and all ordinances, resolutions and other matters pertaining to telecommunications, rates to be paid by the City to the public utility for street lighting or other utility services and to existing or proposed franchises including railway and railroad operations and the Regional Sewer District.

**B. COMMITTEE ON PUBLIC SERVICE**, to which shall be referred all ordinances, resolutions and other matters pertaining to streets and street uses, street and sewer improvements, switch track and pipe lines, elimination of grade crossings, street cleaning, waste collection and disposal, bridges and underpasses, taxes and assessments for sidewalks and street improvements, all banners across streets and all matters pertaining to the Department of Public Service.

**C. COMMITTEE ON COMMUNITY AND ECONOMIC DEVELOPMENT**, to which shall be referred all ordinances, resolutions and other matters pertaining to the redevelopment of blighted areas, the rehabilitation and conservation of property, the alleviation of the housing shortage and alum clearance, economic and industrial development, the Land Reutilization Program and all matters relating to the Departments of Community Development and Economic Development.

**D. COMMITTEE ON PUBLIC SAFETY**, to which shall be referred all ordinances, resolutions and other matters pertaining to police, fire, and emergency medical services and matters pertaining to the Boxing and Wrestling Commission, to the enforcement of the traffic code and off street parking and to inspection of buildings, and all matters pertaining to the Department of Public Safety, and to tag days.

The seven member committees and the subject matters which shall be referred to them shall be as follows:

**A. COMMITTEE ON CITY PLANNING**, to which shall be referred all ordinances, resolutions and other matters relating to city planning, the City Planning Commission and matters relating to zoning.

**B. COMMITTEE ON HEALTH AND HUMAN SERVICES**, to which shall be referred all ordinances, resolutions and other matters pertaining to public health, public charities, direct and work relief, city correctional and charitable institutions; and all matters pertaining to the Departments of Public Health and Welfare, Human Resources and Aging, and all matters pertaining to health, sanitation, unemployment, job training, air pollution control, lake and river pollution, smoke abatement and nuisances.

**C. COMMITTEE ON LEGISLATION**, to which shall be referred all ordinances, resolutions and other matters pertaining to county, state and federal legislation affecting the city annexations, redistricting, charter amendments and all initiative, referendum and recall petitions; all matters relating to courts; ordinances relating to licenses and those imposing fines, penalties, forfeitures or imprisonment, printing and advertising.

**D. COMMITTEE ON AVIATION AND TRANSPORTATION**, to which shall be referred all ordinances, resolutions and other matters pertaining to the municipally-owned airports and any and all matters concerning aviation; and all ordinances, resolutions and other matters pertaining to bridges, harbors, river and lake travel, public transporta-

tion and bus, limousine and taxicab operations and all matters pertaining to the Department of Port Control, the Regional Transit Authority and the Port Authority.

**E. COMMITTEE ON PUBLIC PARKS, PROPERTY AND RECREATION**, to which shall be referred all ordinances, resolutions and other matters pertaining to public parks, public places, public recreation, playgrounds and public beaches; to all public buildings not specifically related to or belonging to some department or division, including the City Hall, Public Auditorium, the Public Stadium, the city markets, and golf courses and cemeteries; to the purchase or sale of all property not specifically referred to another committee of this Council except for the Committee on Finance, and all matters pertaining to the Department of Parks, Recreation and Properties.

**F. COMMITTEE ON EMPLOYMENT, AFFIRMATIVE ACTION AND TRAINING**, to which shall be referred all ordinances, resolutions and other matters pertaining to the formulation and monitoring of job participation linkage for publicly funded development projects; the oversight of affirmative action policies, certification of minority and female business enterprises, and contract compliance within the affirmative action goals of the City; and the formulation of job training policies and performance monitoring of job training contracts.

**Rule 14-1. Removal of Members from Committees, i.e.**, The President of Council, may for cause, at any time, remove and replace any member or members of any standing committee established under Rule 14 or from any special committee or committees.

**Rule 15a. Committee Meetings.** A majority of the members of a committee shall constitute a quorum for the transaction of business. Each committee shall hold its regular meetings at the time and place fixed in the schedule, as prepared by the President of Council and Clerk of Council in conference with the chairman of the several committees. Such schedule shall be approved by the Council and be posted upon the bulletin board in the office of the clerk. Should the chairman of a committee find it necessary to hold the meeting at another time and place, the chairman shall cause notice thereof to be given on the bulletin board at least twenty-four (24) hours before the new time fixed for the meeting. All committee meetings shall be open and a record of the attendance of members of the committee and the action taken there at shall be kept by the secretary of the committee in a record provided for that purpose. Such record shall be kept on file with the Clerk of Council and open to public inspection as other public records. No legislation shall be amended while in committee and it shall be the duty of the committee to recommend to Council the approval, disapproval or amendment of any legislation pending before the committee. A majority of the members of a committee shall be necessary for the recommendation of approval, disapproval or amendment of any legislation pending before a committee. All other motions shall require only a majority vote of the members of committee present.

**Rule 15b.** Each absence of a committee member, not authorized by the chairman for good cause, or the absence of the chairman, not authorized by the president of Council for good cause, shall be deemed a violation of the Rules of Council under Section 29 of the Charter, punishable by a fine of one hundred dollars (\$100.00) for each unauthorized absence. For the purpose of this Subsection 15(b), but not for purposes of voting on recommendations to legislation, a committee member or chairman thereof shall also be deemed absent if a committee member or chairman reports to the committee meeting later than fifteen (15) minutes after the scheduled time for the commencement of said meeting or when after the commencement of said meeting leaves the meeting, except in case of necessity or emergency, without the authority of the chairman, vice-chairman or acting chairman. Absence of a member of a committee from three (3) consecutive meetings, unless authorized by the chairman of such committee, may upon the recommendation of such committee cause the removal of such member from such committee by the President of Council.

**Rule 15c.** Seats at the table in the committee room shall be reserved for members of the committee, the Mayor and administrative officials having business before the committee, members of Council not members of the committee, persons specifically invited by the chairman or by a vote of the committee, reporters, representatives of civic organizations and of organized labor, and it shall be the duty of the clerk of committees to see to it that the foregoing precedence of seating is strictly followed.

**Rule 15d. Rules of Committees.** Except in case of obvious inconsistency or inapplicability committee hearings shall be governed by the rules applicable to council proceedings.

**Rule 16. Reports.** No ordinance, resolution, petition, or other matters referred to a committee for action shall be approved or disapproved and reported out until it shall have first been considered at a committee meeting regularly called as provided for herein and no committee shall consider or hold a hearing on any proposed legislation until it has been introduced in Council and referred to the committee. The question of the recommendation of approval or of approval when amended, shall be put by the chairman upon motion of any member which shall not require a second. If a majority of the members of the committee vote affirmatively such legislation shall be reported forthwith to Council as recommended for passage, but if a majority of the members of the committee vote negatively on such question such legislation shall be reported forthwith to Council as a recommendation of adversal of such legislation. The vote on all matters before the committee shall be recorded in the minutes of the committee meeting. When a majority of a committee has reported, recommending or not recommending the passage, adoption or approval of the legislation under consideration, the minority may present a minority report. All such reports shall be in writing and signed by the members of the committee voting in favor of or against the report.

**Rule 16-1. Undisposed of Legislation Pending in Committees.** Legislation which at the date of the first Monday in January following a regular municipal election has not been acted upon by the committee or committees to which referred within the period of two years from the date of introduction in Council shall be deemed not recommended by said committee or committees and without objection shall be laid upon the table at the next regular meeting of Council thereafter.

**Rule 17. Committee of the Whole.** Upon motion that without objection of the Council resolve itself into a committee of the whole for the purpose of hearing from a person who is not a member of the Council, or for the purpose of considering business generally, the Council shall resolve itself into a committee of the whole for the purpose stated in the motion.

When the Council shall decide to go into committee of the whole, without objection the regular officers shall continue to serve, otherwise the Council shall appoint a Chairman to preside, and the presiding officer of the Council shall leave the chair. The rules of Council, in so far as practicable, shall be observed in the committee of the whole except that no limit shall be placed on the frequency of speaking, that the ayes and nays shall not be taken, and that a motion to rise and report progress shall always be in order and shall be decided without debate.

**Rule 17-1. Joint Committee.** When it is desired that legislation shall be considered by two or more standing committees jointly, a reference may be made by the President of Council to a joint committee composed of the membership of said standing committees, which shall operate as a single committee. A quorum of a joint committee shall consist of a majority of the members thereof counting membership in each committee separately so that a member of each or two or more committees constituting such joint committee shall be counted once for each committee on which he/she is a member. A majority vote, similarly counted, shall be required for action by such joint committee. The chairman of the joint committee shall be determined by the President of Council from the chairmen of the standing committees which make up the joint committee.

**Rule 17-2. Subcommittee.** When determined to be in furtherance of the legislative process, the chairman of a standing committee and the President of Council may designate certain members of said standing committee to form a subcommittee thereof for the purpose of examining such matters as are identified by the chairman and President at the time the subcommittee is formed. At the completion of its work, the subcommittee shall report its findings to the entire standing committee or, in the discretion of the President of Council, the entire Council.

#### IV. DUTIES, PRIVILEGES AND DECORUM OF MEMBERS

**Rule 18. Roll Call of Council.** Every member shall be in his seat at the time of roll call, otherwise he shall not be recorded as present

except upon special order of Council. The clerk shall publish in the City Record the names of the members present and absent.

**Rule 19. Duty to Vote.** Every member present shall vote on all questions upon the call of the yeas, and nays, unless excused by the unanimous consent of the Council; except that no member shall vote on any question in which he is financially interested or which in any way involves personal or private rights. Any member present, unless so excused, or excepted as above, who refuses to vote upon any question relating to the city government, upon which he may vote, when the yeas and nays are being taken shall be guilty of contempt of the Council, and may, for such contempt, be censured by a majority vote of the Council or may be expelled from the Council by a vote of two-thirds of all the members of the Council

**Rule 20. Yeas and Nays.** On the passage of every ordinance or resolution and on the appointment of every officer the vote shall be taken by yeas and nays, entered in full upon the records and published in the official journal. On any other question the yeas and nays shall be entered upon the records on the request of any member. Upon the call of the yeas and nays the clerk shall call the names of members alphabetically and record the vote.

**Rule 21. Change of Vote.** Before the announcement of the vote on any question the clerk shall read the vote of each member so taken upon the demand of any member, at which time any councilman on account of error or for any other reason may change his vote; but no councilman shall be permitted to change his vote as recorded after the roll call has been verified and the result declared.

**Rule 22. Recording of Vote of Absent Member.** Any member, having been unavoidably absent, may at the next meeting be permitted to have his vote recorded upon any question acted upon during such absence; provided such vote shall not change the result; and provided further that such member shall not be entitled to move a reconsideration of the question to be voted upon.

**Rule 23. Right of Floor.** When any member is about to address the Council he shall rise from his seat and respectfully address himself to the presiding officer, and when recognized by the chair shall confine himself to the question under debate, avoid personalities and refrain from impugning the motives of any other member's argument or vote. When two or more members ask recognition at the same time, the presiding officer shall name the member who is first to speak and the exercise of such discretion by the presiding officer shall not be subject to appeal under Rule 26.

**Rule 24. Time Limitation of Speaking.** No member shall be allowed to speak for a longer time than 4 minutes at any one time without the permission of Council.

No member shall speak more than once on the same legislation until every other member desiring to speak on that legislation shall have had an opportunity to do so.

Nor shall the Mayor nor any director speak longer than 4 minutes upon the same motion, ordinance or question without the consent of Council.

**Rule 25. Members Called to Order.** If any member in speaking or otherwise transgresses the rules of the Council the president shall call the offending member to order. The member so called to order shall immediately take his seat unless permitted by the president to explain. Any member may, by raising the point of order, call the attention of the president to such transgression. The point of order shall be decided by the president without debate. Every such decision of the president shall be subject to appeal to the Council by any two members.

**Rule 26. Right of Appeal.** Any member may appeal to the Council from a ruling of the presiding officer, the member making the appeal may briefly state his reason for the same, and the presiding officer may briefly explain his ruling; but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question, "Shall the decision of the chair be sustained?" If a majority of the members present vote aye, the ruling of the chair is sustained; otherwise it is overruled.

**Rule 27. Member May Read from Books, etc.** Any member while discussing a question, may read from books, papers or documents, any matter pertinent to the subject under consideration without asking leave; provided, however, that such reading shall be subject to and included within the time limitation prescribed in Rule 24.

**Rule 28. Division of Question.** If the question contains two or more divisible propositions, the presiding officer may, and upon request of a member, shall divide the same; but a motion to strike out a provision and insert a substitute is not divisible.

**Rule 29. Personal Privilege.** Any member may rise to explain a matter personal to himself, and on stating that it is a matter of personal privilege, the member shall be recognized by the president, but shall not discuss a question or issue in such explanation. Such explanation shall not consume more than 2 minutes of time unless extended by consent of the Council. Matters of personal privilege shall yield only to a motion to recess or adjourn.

**Rule 30. No Person, Other Than the Clerk and His Assistants Shall Be Permitted at the Clerk's Desk While the Yeas and Nays are Being Taken.** No person other than the clerk and his assistants shall be permitted at the clerk's desk while the yeas and nays are being taken.

#### V. MOTIONS

**Rule 31. Purpose and Form.** Motions shall be used only to expedite the orderly transaction at the business of Council and shall not be substituted for resolutions or ordinances. The form of all motions shall be "I move that" followed by the substance of the motion. No second shall be required for any motion except as specifically provided for

in a rule, but upon demand of any member any motion shall be withdrawn by the maker before it has been amended or voted upon. When a motion is made it shall be stated by the presiding officer before any debate shall be in order. All motions which have been entertained by the President of Council shall be entered upon the minutes.

**Rule 32. Precedence of Motions.** When a question is before the council no motion shall be entertained except the following:

1. To adjourn.
2. To fix the hour of adjournment.
3. For the previous question.
4. To lay on the table.
5. To postpone to a day certain.
6. To postpone indefinitely.
7. To refer to a committee.
8. To amend.

These motions shall have precedence in the order indicated. The motion to adjourn and the motion for the previous question, shall be put to a vote without debate; the motion to fix the hour of adjournment shall be debatable only as to the time of such adjournment; and all other motions shall be debatable.

**Rule 33. The Previous Question.** The motion for the previous question shall require a majority vote of all members elected to Council; shall be considered only once; may be renewed after intervening business; shall take precedence over all debatable questions and shall be in order to prevent amendment of undebatable questions. When the previous question is moved and seconded by one other member it shall be put as follows: "Shall the main question be now put?" There shall be no further amendment or debate but pending amendments shall be put in their order before the main question. If the question, "Shall the main question be now put?" be decided in the negative the main question remains before the Council.

**Rule 34. Motion to Lay on the Table.** The motion to lay on the table shall dispose finally of the legislation against which it is invoked but a motion to lay a pending amendment to an ordinance or resolution shall not carry the ordinance or resolution with it. Motion to lay on the table shall require a majority vote of all members elected to Council.

**Rule 35. Motion to Postpone to a Day Certain.** A motion to postpone to a day certain shall require a majority vote of the members present; shall be subject to reconsideration; may be renewed after intervening business; shall be debatable as to the propriety of the postponement but not upon the merits of the legislation; and may be amended by changing the date. Upon the arrival of the date to which postponed the legislation shall be considered in the regular order of business of that day.

**Rule 36. Motion to Postpone Indefinitely.** The motion to postpone indefinitely shall have the same effect as motion to lay on the table, and shall require a majority vote of all members elected to Council. Motion to postpone indefinitely shall not be reconsidered; shall be debatable and shall open the legislation to debate; may be renewed after intervening business and may not be amended or laid on the table, and shall be subject to previous question.

**Rule 37. Reconsideration.** After the decision of any question any member who voted with the majority may move a reconsideration of any action at the same or the next succeeding meeting, provided, however, that a resolution authorizing or relating to any contract may be reconsidered at any time before the final execution thereof. A motion to reconsider shall require a majority vote of all the members elected to Council. After a motion for reconsideration has once been acted upon, no other motion for a reconsideration thereof shall be made without unanimous consent of the members present.

## VI. ORDINANCES AND RESOLUTIONS

**Note:** "The adoption of a resolution is the proper procedure for an informal enactment providing for the disposition of a particular item of business, while the passage of an ordinance is the proper procedure for the enactment of a regulation of a general or permanent nature." (19 R.C. L. 895; 46 C.J. 519; 29 O.A. 386).

**Rule 38. Introduction.** Ordinances and resolutions shall be introduced in the Council only in printed or written form, with the name of the member introducing the same endorsed thereon. No ordinance or resolution affecting the zoning regulations or the construction of public improvements within a particular ward shall be introduced in Council in the name of the member of Council from such ward except with his written permission prior to such introduction and when his name shall be following by the words "By departmental request", which shall be deemed not to imply agreement with the purpose of such legislation by reason of such sponsorship. Ordinances submitted by the initiative shall have endorsed thereon "Submitted by Initiative Petition".

**Rule 38-1. Preparation of Legislation.** In order that adequate time may be given to the preparation of legislation, members of Council shall present requests for legislation to the Law Department not later than 5:00 o'clock P.M. on the Friday preceding the meeting at which such legislation is to be introduced for first reading, and not later than 5:00 o'clock P.M. of the Wednesday preceding introduction of legislation for passage under suspension of the rules.

**Rule 38-2. Request Legislation.** All legislation shall have indicated at the end thereof the date of preparation and the initials of the draftsman and typist; and all legislation originating in administrative departments shall contain in addition thereto the name of the head of the department or division for whom prepared and the name of the member of Council introducing such legislation shall be followed by the words "By request" in parentheses.

**Rule 38-3. Request Legislation for Passage Under Suspension of the Rules.** The Clerk of Council shall not accept request legislation for passage on introduction under suspension of the rules unless furnished sufficient copies of such legislation to provide each member of Council therewith, together with a like number of copies of a statement by the Director of the requesting

department setting forth the reasons requiring the immediate action thereon.

Request legislation for passage on introduction under suspension of the rules at the last meeting prior to the Summer recess of Council or at the final meeting of Council in any odd numbered year shall not be accepted by the Clerk of Council unless the required statement bears the recommendation of the Mayor and the approval of the President of Council. To the extent that circumstances permit all such legislation shall be considered informally by at least one committee of Council, to which such legislation would otherwise be referred.

**Rule 39. Form of Ordinances.** The enacting clause of all ordinances shall be "Be it ordained by the Council of the City of Cleveland," except those submitted by Initiative petition, which shall be "Be it ordained by the people of the City of Cleveland." All ordinances before introduction shall be in typewritten form, with two additional copies, on the forms to be provided by the City Clerk. No ordinance or resolution or section thereof shall be revised or amended unless the new ordinance or resolution contain the entire ordinance or resolution, or section revised or amended, and the original ordinance, resolution, section, or sections so amended shall be repealed.

**Rule 40. Emergency Ordinances.** If any emergency ordinance or resolution fails to receive a two-thirds affirmative vote of all members elected to Council, such measure shall cease to be before the Council as an emergency measure and shall have the standing that a measure would have had if it had not been read as an emergency measure.

**Rule 41. Reference to Committee.** All ordinances and resolutions shall be read by title on the day when introduced, unless such reading is dispensed with by a two-thirds vote; and unless otherwise ordered by the Council shall be referred by the presiding officer to the appropriate committee or committees, which reference shall be announced forthwith by the clerk. The committee or committees to which so referred shall, after due consideration and at least one public proposed amendments and with recommendations for approval or disapproval. When so reported such ordinance or resolution shall, unless otherwise ordered, be read a second time and laid over until the next meeting of the Council, when the same shall be read a third time and a vote taken thereon. No ordinance or resolution except a resolution of condolence or one of an extreme emergency nature, shall be acted upon by the Council, until it has been referred to and reported upon by a committee or committees of Council.

**Rule 41-1. Re-reference to Committee.** Any pending legislation may, by a vote of a majority of the members elected to Council, be referred to any committee to which previously referred under these rules, or to any appropriate committee designated in the motion to re-refer. When referred back to the Council such legislation shall have the same standing as it had at the time when re-referred.



**Rule 42. Reference to More Than One Committee.** Whenever any pending matter is referred to more than one committee for consideration and report, said committee may consider the same in joint session as a joint committee, if the chairmen of the committees concerned consent thereto. The chairman of the committee first named shall preside at such joint sessions, and each member of the joint committee shall have one vote for each committee of which he/she is a member composing the joint committee. A majority of the members of each of the separate committees shall constitute a quorum of such committee and the vote shall be taken by roll call of each of the separate committees constituting the joint committee. Its report shall be made in the same manner and under the same rules as reports are made by standing committees.

**Rule 42-1. Relieving Committees.** Any committee to which an ordinance or resolution has been referred under Rule 41 or re-referred under Rule 41-1 may be relieved of further consideration of such legislation by a motion duly made and adopted by a two-thirds vote of all members elected to Council.

**Rule 43. Three Readings.** No ordinance or resolution shall be passed until it has been read on three separate days; unless the reading on three separate days has been dispensed with by a two-thirds vote of all members elected to Council. The final reading shall be in full unless a written or printed copy of the measure shall have been furnished to each member of the Council prior to such reading. Copies of all first reading ordinances and resolutions to be introduced for passage and adoption under suspension of the rules and without reading on three separate days shall be delivered to each member of the Council either by messenger or mail addressed to his mailing address, so that such copy or copies shall be in his hands or at his mailing address at least twenty-four (24) hours prior to the date of introduction. No motion to suspend the rules shall be entertained unless the reason for the suspension is set forth by the member making such motion or the Director of the department involved. When it is desired to suspend this and rule 41 in order to permit the passage of legislation upon introduction the question on the motion for such suspension shall be as follows: "Shall the Charter and statutory provisions and rule 43 requiring reading on three separate days and rule 41 requiring reference to committees be dispensed with and Ordinance No. ... (Resolution No. ...) be placed on final passage?" If two-thirds of all the members elected to Council vote aye the Charter, statutory and rule requirements requiring reading on three separate days and reference to committees shall be suspended.

As an exception to the foregoing, resolutions of condolence and congratulatory resolutions, copies of which have been placed upon the desks of the members prior to the meeting, shall be read by title only and adopted viva voce or by rising vote.

**Rule 43-A. When Mimeographed Copy Required for Suspension of Rule 43.** No ordinance of a general nature or imposing penalties which

has not been referred to a committee of Council shall be passed under suspension of the rules unless a mimeographed copy of such ordinance shall have been placed on the desk of each member prior to the passage of such ordinance under suspension of Rule 43.

**Rule 44. Appropriation Ordinances.** Ordinances making appropriations shall be confined to the subject of appropriation. No money shall be appropriated except by ordinance. All ordinances for fixing a tax rate, the appropriation of money, the issuance of bonds, the transfer of money to any fund, or the payment of claims; and all resolutions and ordinances whereby the city shall become liable for the payment of any money, shall be referred without debate to the finance committee for consideration and report; unless this requirement shall be suspended by two-thirds of all the members elected. The vote of each suspension shall be taken by yeas and nays and entered on the record.

**Rule 45. Substitute Legislation.** Legislation dealing with the same subject matter may be substituted for any pending ordinance or resolution by a majority vote of all the members elected to Council, upon the recommendation of any committee to which such legislation has been referred. Substitute legislation shall be subject to all the provisions of the Charter and rules applying to ordinances on first reading, and the legislation for which such substitute is offered shall be laid upon the table as a final disposition thereof. Before accepting for introduction any substitute legislation the author of the original legislation shall be given notice thereof by the Clerk of Council.

**Rule 46. Ordinances Fixing Fines and Penalties.** All ordinances imposing fines, penalties, forfeiture or imprisonment shall be referred to the committee on legislation, and the director of law shall be asked to give an opinion thereon.

**Rule 47. Amendments.** It shall be in order to amend an ordinance at any time when not in the hands of a committee; but if amended after its second reading it shall again be read as the second reading thereof, and laid over for further and final action. A majority vote of all the members elected to Council shall be necessary for the adoption of an amendment to any legislation pending before the Council.

**Rule 48. Adoption.** All ordinances and resolutions shall require for passage or adoption a majority vote of all the members elected. The vote on their adoption shall be taken by yeas and nays and entered on the records of the meeting except as otherwise provided in these rules.

**Rule 49. Signing Ordinances and Resolutions.** All ordinances passed and resolutions adopted by Council shall be signed by the President and presented forthwith to the Mayor by the clerk.

**Rule 50. Action on Mayor's Veto.** When the Mayor refuses to sign an ordinance or resolution or part thereof and returns such ordinance or resolution to the Council with his objections, the Council shall at the next meeting following the meeting

at which such vetoed ordinance or resolution is returned, if such meeting shall occur not less than one (1) week after receipt of such ordinance or resolution, proceed to reconsider the same. After the adoption of the motion so to reconsider, the question shall be stated as follows: "Shall Ordinance No. (Resolution No.) be passed (or adopted) notwithstanding the veto of the Mayor. Those voting aye vote to override the Mayor's veto. Those voting nay vote to sustain the Mayor's veto." If two-thirds of all the members elected to Council vote aye such ordinance or resolution vetoed by the Mayor shall take effect without his signature.

## VII. ADMINISTRATIVE OFFICERS

**Rule 51. Attendance Required.** The Mayor, the directors of all departments and the chairman of the transit board shall be required to attend the regular and special meeting of Council and shall be provided with seats on the floor of the Council. They shall be required, at any such meeting, to answer such questions relating to the affairs of the city under their respective supervision and control as may be put to them by any member of the Council. The Mayor shall be entitled to take part in the discussion on all questions before the Council. The directors and chairman of the transit board shall be entitled to take part in the discussion on all questions relating only to their respective departments.

**Rule 52. Reports of City Officers.** All ordinances, resolutions and communications pertaining to matters that come under the supervision and control of the Mayor, directors of departments and chairman of the Transit Board shall, in addition to being referred to the proper committees, be also referred to such respective administrative officers for recommendation and report. Not later than thirty (30) days after reference to the administrative officer or officers as the case may be each ordinance, resolution, or communication so referred shall be returned to the Clerk of Council with the endorsement of each such administrative officer's approval or disapproval of such matter so referred. It shall be the duty of the Clerk of Council to enforce this rule rigidly. The Clerk shall use all diligence in seeing that departments to which measures are referred return them to the Clerk's office within the time fixed herein.

**Rule 52-1. Mandatory Referral of Legislation.** Mandatory referral of legislation under Section 76-3 of the Charter shall be deemed to include the following matters:

1. Zoning or other regulations of land use.
2. Acquisition or lease of land for public uses.
3. Sale or lease of publicly owned lands.
4. Vacation or dedication of streets or alleys.
5. Street widening or street extensions.
6. Permits for private uses of streets or public property.
7. Determining to proceed with public improvements.
8. Requests for studies or plan preparation.
9. Bond issues for capital improvements.
10. Housing.

Request for an additional thirty (30) day period for further consideration may be granted by the President of Council if the application for such extension is submitted to him before the expiration of the thirty (30) day period allowed by Section 76-3 of the Charter. No further extension of time shall be allowed except upon motion of a member of Council adopted by a majority vote of all the members present. Such request shall be filed with the Clerk of Council.

**Rule 52-2. Mutilation of Legislation.** No alteration, change, erasure or mark shall be made upon any piece of legislation by any person except the Clerk of Council and then only pursuant to an amendment thereto made by Council pursuant to Rule 47. Nothing shall be physically attached to any piece of legislation after introduction thereof except the fiscal certificate required by Section 106 of the Charter nor shall any endorsement appear upon any legislation except that of the head of the department or office to which referred or the person duly authorized by such head. Reports of subordinates to the heads of departments or other pertinent data or reports may be filed with such legislation if referred to in the official reports endorsed upon the back of such piece of legislation.

**Rule 53. Report or Status of Pending Measures.** The City Clerk shall keep the members of Council informed regarding the status of pending ordinances. All ordinances and resolutions to be acted upon by committees or the Council on Monday shall be in the hands of the Clerk not later than the preceding Friday at 11:00 A.M.

**Rule 54. Approval of Council of Appointments by Mayor.** Whenever the approval of Council is required for appointments by the Mayor the President of Council, upon request of the Mayor for approval of any appointment, shall forthwith appoint a select committee of five (5) members to which shall be referred the name of each person whose appointment is submitted for approval of Council. Not later than the second meeting of Council following such reference, the select committee shall report to Council its recommendation thereon. Thereupon Council as part of the appropriate order of business shall proceed to vote upon the approval of each appointment, the question being "Shall the Council approve the appointment by the Mayor?" If a majority of all the members elected to Council vote aye, the Council shall approve such appointment.

#### VIII. COUNCIL CHAMBER

**Rule 55. Use of Council Chamber.** The Council chamber shall be used only for meetings of the Council or committees thereof, except where the Council by vote authorizes its use by persons other than city officials. The clerk, with the written approval of the President of Council, may permit other public officials to use the Council chamber on public business, when not in use by the Council or committees.

**Rule 56. Privileges of Floor.** No person except members or former members of the Council, officers named in the rules, reporters and

persons invited by the President of Council or by vote of the Council shall be admitted within the bar of the Council chamber, and the sergeant-at-arms shall cause this rule to be rigidly enforced.

#### BOARD OF CONTROL

December 31, 1997

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 31, 1997, at 11:00 a.m., with Director Sobol Jordan presiding.

Present: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.  
Absent: Mayor White and Director Warren.

Others: Joann Arki, Acting Commissioner, Purchases and Supplies. Laura A. Williams, Director, Office of Equal Opportunity.

On motion, the following resolutions were adopted.

##### Resolution No. 1083-97.

By Acting Director Sheffield-McClain.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 11, 1997 for installing a fire sprinkler system for the various divisions of the Department of Port Control, pursuant to the authority of Ordinance No. 224-97, passed by the Council of the City of Cleveland on April 14, 1997 be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Director Guzman, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.  
Nays: None.

##### Resolution No. 1084-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Frank Blackmon for an estimated quantity of Lubricants (All Items) for the Division of Motor Vehicle Maintenance, Department of Public Service, for the period of one (1) year beginning with the date of execution of a contract received on November 26, 1997, pursuant to the authority of Ordinance No. 1154-97, passed August 13, 1997, which on the basis of the estimated quantity would amount to Forty Thousand, Six Hundred, Ninety-Four and 25/100 Dollars (\$40,694.25), (2% 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. 16785 which shall be certified against such contract in the sum of Six Thousand and 00/100 Dollars (\$6,000.00).

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

##### Resolution No. 1085-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on December 5, 1997 for purchase of Seven (7) Light Duty Utility Trucks with Additional Equipment (All Items) for the Various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1113-97, passed by the Council of the City of Cleveland on July 16, 1997, be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

##### Resolution No. 1086-97.

By Director Guzman.

Resolved by the Board of Control of the City of Cleveland, that all bids received on November 21, 1997 for purchase of One (1) Cab and Chassis with Street Flusher Body (All Items) for the Various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1113-97, passed by the Council of the City of Cleveland on July 16, 1997, be and the same are hereby rejected.

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

##### Resolution No. 1087-97.

By Director Guzman.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bob McDorman Chevrolet, Inc. for an estimated quantity of One Cab and Chassis with Enclosed Dump Body (All Items) for the 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 November 21, 1997, pursuant to the authority of Ordinance No. 1113-97, passed July 16, 1997, which on the basis of the estimated quantity would amount to Thirty Nine Thousand, Eight Hundred, Seventy Seven and 00/100 Dollars (\$39,877.00), (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. 16786 which shall be certified against such contract in the sum of Thirty-Nine Thousand, Eight Hundred, Seventy-Seven and 00/100 Dollars (\$39,877.00).

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: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1088-97.**

By Director Denihan.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 181.19(b), Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby directed to offer to sell to the police officers listed below, at their fair market value, the service revolvers bearing the serial numbers listed to the right of the respective officer's name:

Crossland, Von, #2017 — Model Smith & Wesson 5943, Serial #TYK6137.

Hassel, Robert S., Lieut. — Model Smith & Wesson 5903, Serial #TCP9359.

O'Malley, Michael, Lieut. — Model Smith & Wesson 5943, Serial #TVH4888.

Owskiak, Robert #624 — Model Smith & Wesson 5943, Serial #THA0709.

Scott, Charles, Sgt. — Model Smith & Wesson 5943, Serial #TVH4839.

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1089-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-07-128 located at 1816 Lamolille Avenue in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Ricky Reeves aka Rickey Reeves, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when

directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Ricky Reeves aka Rickey Reeves for the sale and development of Permanent Parcel No. 004-07-128 located at 1816 Lamolille Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1090-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 124-19-055 located at 2686 East 62 Street in Ward 5; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Lottie Orr, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Lottie Orr for the sale and development of Permanent Parcel No. 124-19-055 located at 2686 East 62 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1091-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 004-07-087 located at 2631 West 18 Street in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, George M. Fielding, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with George M. Fielding for the sale and development of Permanent Parcel No. 004-07-087 located at 2631 West 18 Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1092-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel 007-24-085 located at 3034 Seymour Avenue in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Margarita Vega, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Margarita Vega for the sale and development of Permanent Parcel No. 007-24-085 located at 3034 Seymour Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.

Absent: None.

**Resolution No. 1093-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 008-01-087 located at 2204 Barber Avenue in Ward 14; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Food Ingredient Specialties, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is

hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Food Ingredient Specialties for the sale and development of Permanent Parcel No. 008-01-087 located at 2204 Barber Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.

Absent: None.

**Resolution No. 1094-97.**

By Director Hamilton.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 138-01-087 located at 11813 Princeton Avenue in Ward 2; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell Land Reutilization Program parcels to adjacent or abutting landowners; and

Whereas, Mary L. Butler, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinance of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Mary L. Butler for the sale and development of Permanent Parcel No. 138-01-087 located at 11813 Princeton Avenue, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.

Absent: None.

**Resolution No. 1095-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 125-33-052 under said Land Reutilization Program; and

Whereas, Ordinance No. 1656-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, John T. Russell, Jr. has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1656-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with John T. Russell, Jr. for the sale and development of Permanent Parcel No. 125-33-052, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.

Absent: None.

**Resolution No. 1096-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 118-24-135 under said Land Reutilization Program; and

Whereas, Ordinance No. 1964-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Rudolph and Gladys Y. Westbrook have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1964-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Rudolph and Gladys Y. Westbrook for the sale and development of Permanent Parcel No. 118-24-135, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1097-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 016-11-061 under said Land Reutilization Program; and

Whereas, Ordinance No. 1778-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, James E. and Ruth Ann Ogle have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1778-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with James E. and Ruth Ann Ogle for the sale and development of Permanent Parcel No. 016-11-061, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1098-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 020-10-017 under said Land Reutilization Program; and

Whereas, Ordinance No. 1657-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Kenneth M. and Lorraine M. Busler have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1657-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Kenneth M. and Lorraine M. Busler for the sale and development of Permanent Parcel No. 020-10-017, as described in said Ordinance

in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1099-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 107-06-135 under said Land Reutilization Program; and

Whereas, Ordinance No. 1883-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1883-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Bonnie J. Jones for the sale and development of Permanent Parcel No. 107-06-135, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1100-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 107-07-110 under said Land Reutilization Program; and

Whereas, Ordinance No. 1882-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Willa Bailey and Gail Thomas have proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1882-97 passed Decem-

ber 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Willa Bailey and Gail Thomas for the sale and development of Permanent Parcel No. 107-07-110, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1101-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 128-03-122 under said Land Reutilization Program; and

Whereas, Ordinance No. 1863-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Gary Torme Powell has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1863-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Gary Torme Powell for the sale and development of Permanent Parcel No. 128-03-122, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.  
Absent: None.

**Resolution No. 1102-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 105-33-091 under said Land Reutilization Program; and

Whereas, Ordinance No. 1878-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Alfonso Condu has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1878-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Alfonso Condu for the sale and development of Permanent Parcel No. 105-33-091, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.

Absent: None.

#### **Resolution No. 1103-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 105-33-065 under said Land Reutilization Program; and

Whereas, Ordinance No. 1879-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Willie P. Williams has proposed to the City to purchase and develop said parcel; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1879-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Willie P. Williams for the sale and development of Permanent Parcel No. 105-33-065, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.

Absent: None.

#### **Resolution No. 1104-97.**

By Director Hamilton.

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

Whereas, City has acquired Permanent Parcel No. 105-32-160 under said Land Reutilization Program; and

Whereas, Ordinance No. 1880-97 passed December 15, 1997 authorized the sale of said parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 1880-97 passed December 15, 1997 by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Gregory A. Carter for the sale and development of Permanent Parcel No. 105-32-160, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Directors Sobol Jordan, Carmody, Acting Directors Jackson, Barth, Directors Guzman, Staib, Acting Directors Smith, Miller, Hudecek, Torres and Director Axelrod.

Nays: None.

Absent: None.

AMY M. WAINRIGHT,  
Acting Secretary

## **CIVIL SERVICE NOTICES**

### **General Information**

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

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

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

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

FREDDIE J. FENDERSON,  
President

## **SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, JANUARY 20, 1998**

**9:30 A.M.**

**Calendar No. 97-265:** 15408 Holmes Avenue, N.E.

Mr. & Mrs. Steven Zorichak, owners, appeal to add a 20' 4" x 7' 1" one-story extension to install a bathroom and laundry room by enclosing the open front porch of the 20' 4" x 30' 8" 2-story frame single family dwelling house on a 35' x 83' irregular shaped lot located in a Two-Family District at 15408 Holmes Ave.; said enclosure and addition to be contrary to the setback and enclosure limitations of Sections 357.06 and 357.13 of the Codified Ordinances.

**Calendar No. 97-267:** 10300 Ignatius Avenue, S.W.

Anthony M. Pilla, Bishop, owner, and Cleveland Board of Education, tenant, c/o Raymond S. Ling, appeals, to install a 14' x 50' one-story modular classroom building in the open area adjacent to the east wall of the two-story school building on the acreage corner parcel located in a General Retail, One-Family and Two-Family District on the southwest corner of West Blvd. and Lorain Ave. and extending through to Ignatius Ave. at 10300 Ignatius and also occupied by other buildings of the church/school complex; said installation and use being contrary to the residence limitations of Sections 337.02 and 337.03 but subject to the approval authority of Section 337.02(f)(3)(A) of the Codified Ordinances.

**Calendar No. 97-268:** 2018 West 99th Street

Marlene Medley, owner, appeals to enclose the 24' x 7' first and second floor open front porches of the 24' x 40' 2-story frame two-family dwelling house on a 35' x 80' lot located in a Two-Family District at 2018 W. 99 St.; said enclosure being contrary to the setback and enclosure limitations regulated by Sections 357.06 and 357.13 of the Codified Ordinances.

HUNTER MORRISON,  
Acting Secretary

## **REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, JANUARY 5, 1998**

At the Meeting of the Board of Zoning Appeals on, Monday, December 29, 1997, the following appeals were heard by the Board, and, on Monday, January 5, 1998 were decided by the Board.

The following appeals were **Granted:**

**Calendar No. 97-253:** 1215 West 10th Street

The Alexander Company Inc. Natalie Bock, owner, and Alyce on the Left Bank Inc., c/o Alyce A. Derethik, tenant, appealed, to change use to a brewery a portion of the ground level and mezzanine area at the southwest portion of the six-and-eleven-story masonry former warehouse building.

**Calendar No. 97-254:** 3430 Rocky River Drive, S.W.  
Sisters of St. Joseph, c/o Sister Marietta Starrie, owner, appealed, to remodel and convert to administrative offices (for the Sister's Order) the four-story masonry convent building.

The following appeal was **Postponed**:

**Calendar No. 97-264:** 3280 West 105th Street to January 20, 1998.

HUNTER MORRISON,  
Acting Secretary

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

NO MEETING

**PUBLIC NOTICE**

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

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

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

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

forms may result in cancellation of the contract or other civil or criminal penalties."

**WEDNESDAY, JANUARY 14, 1998**

**Mark Tromba Park, Moulton/Scoutway Park III and Various Ward 21 Park Site Improvements**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance Nos. 1264-97 and 788-97, passed by the Council of the City of Cleveland, July 16, 1997 and June 2, 1997, respectively.

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

December 31, 1997 and January 7, 1998

**WEDNESDAY, JANUARY 22, 1998**

**Continental Airlines, Bid Package 6 - Concourse D Curtain Wall System**, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

A DEPOSIT OF TWO HUNDRED FIFTY DOLLARS (\$250.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. PLANS AND SPECIFICATIONS ARE AVAILABLE FROM MORSE DIESEL INTERNATIONAL, INC., 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135 (216) 265-4880. BIDS WILL BE RECEIVED AT CONTINENTAL AIR LINES, INC., CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO 44135, TO THE ATTENTION OF BILL FRASER, UNTIL 3:00 P.M. JANUARY 22, 1998.

A PRE-BID MEETING WILL BE HELD ON THURSDAY, JANUARY 8, 1998, 10:00 A.M. IN THE R.O.C. BUILDING, 5900 SOUTH CARGO ROAD, CLEVELAND, OHIO.

December 31, 1997 and January 7, 1998

**THURSDAY, JANUARY 29, 1998**

**Paper Products**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 764-96, passed by the Council of the City of Cleveland, May 20, 1996.

**Labor and Materials to Maintain the High Voltage Oil Static Pipe Transmission Cable System and Emergency Oil Spill Cleanups**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 546-97, passed by the Council of the City of Cleveland, June 2, 1997.

**Meters and Metering Equipment**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of the City of Cleveland, 1976.

**Duct Line Installation and/or Repair**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 2018-97, passed by the Council of the City of Cleveland, December 15, 1997.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 14, 1998, 10:00 A.M. AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO.

December 31, 1997 and January 7, 1998

**FRIDAY, JANUARY 30, 1998**

**Light Vans (Prisoner Transport Vans)**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Runway Broom Heads**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Tracked Snow Plows and 4-Wheel Street Sweepers**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

December 31, 1997 and January 7, 1998

**THURSDAY, FEBRUARY 5, 1998**

**Pavement Installation and/or Repair**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 2015-97, passed by the Council of the City of Cleveland, December 15, 1997.

A MANDATORY PRE-BID MEETING WILL BE HELD ON WEDNESDAY, JANUARY 21, 1998, 10:00 A.M., AT CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO.

December 31, 1997 and January 7, 1998

**THURSDAY, JANUARY 22, 1998**

**Rehabilitating and Reconstructing East 55th Street from Blanche Avenue to Woodland Avenue, (Phase I)**, for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 1330-96, passed by the Council of the City of Cleveland, July 17, 1996.

A DEPOSIT OF FIFTY DOLLARS (\$50.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE.

January 7, 1998 and January 14, 1998

**WEDNESDAY, JANUARY 28, 1998**

**Computer Equipment**, for the Department of Community Development, as authorized by Ordinance No. 1303-97, passed by the Council of the City of Cleveland, October 6, 1997.  
A PRE-BID MEETING WILL BE HELD ON THURSDAY, JANUARY 15, 1998, 10:00 A.M., ROOM 509, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE.

**Towel and Linen Service**, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1743-97, passed by the Council of the City of Cleveland, October 13, 1997.

**Printing and Furnishing of The City Record**, for City Council.  
January 7, 1998 and January 14, 1998

**THURSDAY, FEBRUARY 5, 1998**

**Crew Cab, 4 x 4, Pick-Up Trucks**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Crew Cab and Chassis with Dump Body (15,000 GVW)**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council

of the City of Cleveland, July 16, 1997.

**Crew Cab and Chassis with Body (15,000 GVW)**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

January 7, 1998 and January 14, 1998

**FRIDAY, FEBRUARY 6, 1998**

**Backhoe/Loader**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Skid Steer Loader and Snow Plows**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Cab and Chassis with Tow Truck Body (Light/Medium)**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Cab and Chassis with Street Flusher Body Truck**, for the Division of Motor Vehicle Maintenance,

Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

**Cab and Chassis with Flat Bed/Boom Trucks, and Cab and Chassis with Chip Dump Body/ Bucket Trucks**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1113-97, passed by the Council of the City of Cleveland, July 16, 1997.

January 7, 1998 and January 14, 1998

**ADOPTED RESOLUTIONS AND ORDINANCES**

NONE

**COUNCIL COMMITTEE MEETINGS**

NO MEETINGS

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