

# The City Record

Official Publication of the City of Cleveland

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March the Seventeenth, Nineteen Hundred and Ninety-Nine

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<b>Mayor</b>	
Michael R. White	
<b>President of Council</b>	
Jay Westbrook	
<b>Clerk of Council</b>	
Cecelia R. Huffman	
<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	Michael C. O'Malley
17	Timothy J. Melena
18	Jay Westbrook
19	Joseph J. Zone
20	Martin J. Sweeney
21	Michael A. Dolan

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# DIRECTORY OF CITY OFFICIALS

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

Ward	Name	Residence	
1	Joseph T. Jones	15601 Lotus Drive	44128
2	Robert J. White	3760 East 126th Street	44105
3	Odelia V. Robinson	3448 East 123rd Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	William W. Patmon	867 East Boulevard	44108
9	Craig E. Willis	11906 Beulah Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3032 Vega Avenue	44113
15	Merle R. Gordon	1813 Tampa Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Timothy J. Melena	6110 West Clinton Avenue	44102
18	Jay Westbrook	10513 Clifton Boulevard	44102
19	Joseph J. Zone	3323 West 130th Street	44111
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

Clerk of Council - Cecelia R. Huffman, 216 City Hall, 664-2840.  
First Assistant Clerk - Sandra Franklin.

**MAYOR-Michael R. White**  
LaVonne Sheffield-McClain, Chief of Staff, Executive Assistant for Policy  
Barry Withers, Executive Assistant for Administration  
Judith Zimomra, Executive Assistant for Service  
Kenneth Silliman, Executive Assistant for Economic Development  
Laura Ann Williams, Director, Office of Equal Opportunity  
Milan T. Polacek, Executive Assistant for Legislative Affairs

**DEPT. OF LAW - Cornell P. Carter, Director, Lessie M. Milton, Chief Counsel, Room 106**  
George A. Pace, Jr., Chief Asst. Prosecutor; Criminal Branch - Justice Center, 8th Flr., Court Towers, 1200 Ontario Street  
Karen E. Martines, Law Librarian, Room 100

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

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

**DEPT. OF PORT CONTROL - Solomon F. Balraj, Director,**  
Cleveland Hopkins International Airport, 5300 Riverside Drive;  
Cleveland Hopkins International Airport - Mark D. Vanloh, Commissioner  
Burke Lakefront Airport - Michael C. Barth, Commissioner

**DEPT. OF PUBLIC SERVICE - Mark Ricchiuto, Director, Room 113**  
**DIVISIONS - Waste Collection and Disposal - Randell T. Scott, Acting Commissioner, 5600 Carnegie Avenue.**  
Streets - Randell T. Scott, Commissioner, Room 25  
Engineering and Construction - JoMarie Wasik, Acting Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Acting Commissioner, Harvard Yards  
Architecture - Paul Burik, Acting Commissioner, Room 517

**DEPT. OF PUBLIC HEALTH - Michelle Whitlow, Acting Director, Mural Building, 1925 St. Clair Avenue**  
**DIVISIONS - Health - Joyce Atwell-Joyce, Commissioner, Mural Building, 1925 St. Clair Avenue**  
Environment - Robin Puriani-Rogers, Acting Commissioner, Mural Building, 1925 St. Clair Avenue  
Correction - Thomas Hardin, Commissioner, Cooley Farms, 4041 Northfield Road

**DEPT. OF PUBLIC SAFETY - Henry Guzmán, Director, Room 230.**  
**DIVISIONS - Police - Martin L. Flask, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street**  
Fire - Kevin G. Gerrity, Chief, 1645 Superior Avenue  
Traffic Engineering & Parking - Mark Ricchiuto, Acting Commissioner, 4150 East 49th Street, Building #1  
Dog Pound - John Baird, Chief Dog Warden, 2690 W. 7th Street  
Emergency Medical Service - Bruce Shade, Commissioner, 1708 South Pointe Drive

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

Parking Facilities - Dennis Donahue, Acting Commissioner, Public Auditorium, E. 6th and Lakeside Ave.  
Park Maintenance and Properties - Richard L. Silva, Acting Commissioner, Public Auditorium - E. 6th & Lakeside.  
Recreation - Michael Cox, Acting Commissioner, Room 8  
Research, Planning & Development - Mark Fallon, Commissioner, 1501 N. Marginal Road, Burke Lakefront Airport

**DEPT. OF COMMUNITY DEVELOPMENT - Linda M. Hudecek, Director, 3rd Floor, City Hall.**  
**DIVISIONS - Administrative Services - Terrence Ross, Commissioner.**  
Neighborhood Services - Louise V. Jackson, Commissioner.  
Neighborhood Development - Donald T. Moss, Commissioner.  
Building & Housing - Lisa Thomas, Commissioner, 5th Floor, City Hall.

**DEPT. OF PERSONNEL AND HUMAN RESOURCES - Jeffrey K. Patterson, Director, Room 121**

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

**DEPT. OF AGING - Susan E. Axelrod, Director, Room 122**

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

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

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

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

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

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

**BOARD OF SIDEWALK APPEALS - Service Director Mark Ricchiuto; Law Director Cornell P. Carter; Councilman Roosevelt Coats.**

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

**CITY PLANNING COMMISSION - Room 501 - Hunter Morrison, Director; Anthony J. Coyne, Acting Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Edward D. Small, Councilman Odelia V. Robinson.**

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

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

**BOARD OF EXAMINERS OF ELECTRICIANS - Samuel Montfort, Chairman; Donald Baulknigh, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.**

**BOARD OF EXAMINERS OF PLUMBERS - Joseph Gyorky, Chairman; Earl S. Bumgarner, Alfred Fowler, Jozef Valencik, \_\_\_\_\_, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.**

**CLEVELAND LANDMARKS COMMISSION - Room 519 - Richard Schanfarber, Chairman; Paul Volpe, Vice Chairman; James Gibans, Sandra Morgan, Hunter Morrison, Kenneth Nobilio, Theodore Sande, Galen Schuerlein, Randall Shorr, Councilman Craig E. Willis, Councilman Joe Cimperman, Robert Keiser, Executive Secretary.**

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

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

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

# The City Record



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WEDNESDAY, MARCH 17, 1999

No. 4449

## CITY COUNCIL

MONDAY, MARCH 15, 1999

### The City Record

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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:** Jones, Chairman; White, Vice Chairman; Britt, Polensek, Sweeney, Willis, Zone.

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

#### MONDAY—Alternating

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

11:00 A.M.—**Employment, Affirmative Action & Training Committee:** White, Chairman; Cintron, Vice Chairman; Gordon, Johnson, Lewis, O'Malley, Rybka.

#### MONDAY

2:00 P.M.—**Finance Committee:** Johnson, Chairman; Westbrook, Vice Chairman; Cintron, Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis.

#### TUESDAY

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

1:30 P.M.—**Public Utilities Committee:** Willis, Chairman; Coats, Vice Chairman; Britt, Jones, Melena, O'Malley, Robinson, Rybka, Sweeney.

1:30 P.M.—**City Planning Committee:** Robinson, Chairman; Cimperman, Vice Chairman; Dolan, Jackson, O'Malley, White, Willis.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio March 15, 1999.

The meeting of the Council was called to order, the President, Jay Westbrook in the Chair.

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

Also present were Chief of Staff Sheffield-McClain and Directors Carter, Carmody, Konicek, Guzman, Jackson, Hudecek, Warren, Patterson and Acting Directors Whitlow, Dove, Baracavian and Owens.

Absent: Mayor White and Directors Balraj, Ricchiuto and Axelrod.

Pursuant to Ordinance No. 2926-76, the Council Meeting was opened with a prayer offered by Rev. Stephen Sedgewick, Pastor of St. Philip the Apostle Episcopal Church, located at 3294 Denison Avenue in Ward 5. Pledge of Allegiance.

#### MOTION

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

#### COMMUNICATIONS

**File No. 401-99.**  
From the Division of Purchases and Supplies re: Excess Property - Reference No. 002-99. Received.

**File No. 402-99.**  
From the Board of Building Standards and Building Appeals re: Pub-

lic Hearing Agenda for Wednesday, March 17, 1999. Received.

#### File No. 403-99.

From the Division of Building and Housing re: Amended application to establish Correctional Halfway House, 2415 East 55th Street, Cleveland, Ohio. Received.

#### File No. 404-99.

From the Division of Purchases and Supplies re: Sales Request No. 90171, for sale or lease of property located in the Village of Highland Hills, East of Northfield Road and South of Harvard Road. Received.

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

#### File No. 405-99.

Re: New Application - 6819329 - Perkins Food & Deli, Inc., 1905 East 55th Street. (Ward 7). Received.

#### File No. 406-99.

Re: Transfer of Ownership Application - 8356699 - Soli, Inc. dba New York Grocery, 4302 John Avenue, first floor and basement. (Ward 14). Received.

#### File No. 407-99.

Re: Transfer of Location Application - 86889050001 - Summer Deli, Inc. new building, d.b.a. Tony's Market, 3114 Clark Avenue. (Ward 14). Received.

#### File No. 408-99.

Re: Stock Transfer Application - 7171120 - Rahi, Inc. 3705 East 116th Street. (Ward 2). Received.

#### STATEMENT OF WORK ACCEPTED

#### File No. 409-99.

From the Department of Parks, Recreation and Properties re: Contract No. 52247 for Cleveland Lakefront Bikeway Phase I. Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 430-99**—Johnnie Redrick.  
**Res. No. 431-99**—Mary Irene Brancatelli.

#### CONGRATULATORY RESOLUTIONS

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

**Res. No. 432-99**—Delores Head.  
**Res. No. 433-99**—Elizabeth (Betty) Sullivan.

- Res. No. 434-99**—Donald Navratil.  
**Res. No. 435-99**—Dennis Bydash.  
**Res. No. 436-99**—Edward J. Jay-jack.  
**Res. No. 437-99**—St. Joseph Society No. 156.  
**Res. No. 438-99**—Cub Scout Pack #55.

#### RECOGNITION RESOLUTIONS

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

- Res. No. 439-99**—Hope For Kids (Cleveland Chapter).  
**Res. No. 440-99**—Betts Skrha.

#### FIRST READING EMERGENCY ORDINANCES REFERRED

**Ord. No. 410-99.**  
**By Councilman Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the State of Ohio Department of Education for the 1999 Team Approach to Violence Against Women Program.

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

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

**Section 1.** That the Director of Law is hereby authorized to apply for and accept a grant in the amount of \$306,064, from the State of Ohio Department of Education, to conduct the 1999 Team Approach to Violence Against Women Program, for the purposes set forth in the application and according thereto; that the Director of Law is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 410-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 411-99.**  
**By Councilmen Westbrook and Johnson (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with Continental Airlines, Inc. for use and occupancy of certain space in the Primary Hangar at Cleveland Hopkins International Airport.

Whereas, this ordinance constitutes an emergency measure provid-

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

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

**Section 1.** That the Director of Port Control is authorized to enter into a Lease By Way of Concession ("Lease") with Continental Airlines, Inc. ("Lessee") for use and occupancy of approximately 109,200 square feet of space, known as Bays 1 and 2, in the Primary Hangar (the "Premises") at Cleveland Hopkins International Airport for maintenance and operation of aircraft hangar and aircraft maintenance facility. The term of the Lease shall be for ten (10) years. At the end of the term, Lessee may request to extend the term of Bay 1 an additional ten (10) years, which request shall be reviewed by the City and either approved or rejected based on (a) the level of use by Lessee of the Premises and (b) the market for hangar space at the Airport.

Lessee shall pay as rent for use of the Premises \$3.70 per square foot per year, increasing by 15% every five years of the term and any extended term, and adjusted based on rent credits as set forth below.

Lessee shall receive rent credits for up to \$1 million dollars in improvements it makes to the Premises, including both improvements made prior to execution of the Lease and those made after such execution. Said rent credits shall be amortized over the original 10 year term of the Lease at 7% interest. Lessee shall not receive rent credits for improvements made to the Premises in excess of \$1 million dollars.

Lessee agrees to make improvements to non-leased space in the Primary Hangar, at the City's request, including but not limited to, improving the exterior and grounds of the Primary Hangar, improving Bay 3 of the Primary Hangar and constructing an addition to the Primary Hangar. Lessee shall be reimbursed for the costs of these improvements; however, should the City elect to not reimburse Lessee for such improvements, Lessee shall receive credit against rent, amortized over the original 10 year term at 7% interest.

Rent credits for improvements done by Lessee which benefit both the Premises as well as non-leased space in the Primary Hangar shall be prorated based on the proportion of the Premises which benefit from the improvement to the total space at the Primary Hangar. Lessee shall receive rent credits as set forth above for that portion of the improvements corresponding to the Premises; in the City's discretion, Lessee shall either be reimbursed or receive rent credits as set forth above for that portion of the improvements corresponding to the non-leased space in the Primary Hangar.

**Section 2.** That the Lease authorized herein shall be prepared by the Director of Law and shall contain such other terms and conditions

as said Director deems necessary to protect and benefit the public interest.

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 412-99.**  
**By Councilmen Westbrook and Johnson (by departmental request).**  
**An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide services necessary to manage and maintain the building and grounds of the Consolidated Rental Car Facility, for a period of two years.**

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

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

**Section 1.** That the Director of Port Control is hereby authorized to employ by contract one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to manage and maintain the building and grounds of the Consolidated Rental Car Facility for a period of two years.

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

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund No. 60 SF 001, Request No. 24855.

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 413-99.**

**By Councilman Britt (by request).  
An emergency ordinance authorizing the Director of Public Service to issue a permit to Case Western Reserve University to encroach into the right-of-way on Murray Hill Road S.E. with ornamental light poles, plant bed curbs, benches, concrete walks, brick pavers and landscaping for their South Campus Village Phase II Project.**

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

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

**Section 1.** That the Director of Public Service hereby is authorized to issue a permit, revocable at the will of Council, and assignable by the Permittee with the written consent of the Director of Public Service to Case Western Reserve University, 10900 Euclid Avenue, Cleveland, Ohio 44106, its successors and assigns, for the construction, use and maintenance of ornamental light poles, plant bed curbs, benches, concrete walks, brick pavers and landscaping which will encroach into the right-of-way of Murray Hill Road S.E. at the locations more fully described herein.

**ENCROACHMENT AREA WITHIN  
MURRAY HILL ROAD S.E.  
FOR CWRU:**

Situated in the City of Cleveland, County of Cuyahoga and the State of Ohio and known as being part of Original One Hundred Acre Lot Numbers 403 and 404, and being an area of encroachment lying within the bounds of Murray Hill Road S.E., 60.00 feet in width, bounded and described as follows:

Beginning in the southeasterly line of said Murray Hill Road S.E. at an angle point lying easterly of the intersection of Murray Hill Road S.E. with Adelbert Road S.E.,

Course No. 1.: Thence South 0°-28'-20" East along an easterly line of said Murray Hill Road S.E., 13.00 feet;

Course No. 2.: Thence South 89°-31'-40" West, 8.00 feet;

Course No. 3.: Thence North 0°-28'-20" West, 49.52 feet;

Course No. 4.: Thence North 26°-34'-55" East, 25.32 feet;

Course No. 5.: Thence North 63°-20'-49" East, 40.91 feet;

Course No. 6.: Thence South 54°-19'-40" East, 13.00 feet to the southeasterly line of said Murray Hill Road S.E.;

Course No. 7.: Thence South 35°-40'-20" West along said southeasterly line of Murray Hill Road S.E., 86.00 feet to the place of beginning, containing 2.162 square feet of land (0.0496 acres), according to a survey by Garrett & Associates, Inc., Registered Engineers and Surveyors, made in January, 1999, be the same more or less.

The bearings used herein are based on an assumed meridian and are used only to denote angles.

**Section 2.** That said ornamental light poles, plant bed curbs, benches, concrete walks, brick pavers and landscaping will be placed within the public right-of-way as aforesaid

in Section 1, and said ornamental light poles, plant bed curbs, benches, concrete walks, brick pavers and landscaping will be constructed in accordance with plans and specifications approved by the Commissioner of Engineering and Construction.

**Section 3.** That the permit herein authorized shall be prepared by the Director of Law and shall be issued only when in the opinion of the Director of Law, the City of Cleveland has been properly indemnified against any and all loss which may result from said permit.

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

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

**Ord. No. 414-99.**

**By Councilmen Britt, Willis, Sweeney, Robinson and Johnson (by departmental request).**

**An emergency ordinance to appropriate property for public use for the improvement to a portion of Stokes Boulevard.**

Whereas, the Council of the City of Cleveland, by Resolution No. 425-99, adopted \_\_\_\_\_, declared the necessity and intention of appropriating the temporary easement interests herein described for the public purpose of improving a portion of Stokes Boulevard; and

Whereas, notice of the adoption of such Resolution has been served upon the persons in possession or having an interest in such property; and

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

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

**Section 1.** That for the public purpose of improving a portion of Stokes Boulevard, the following described temporary easement interests be and the same are hereby appropriated:

**PARCEL NO. 3T**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Lots No. 410 and No. 411 and bounded and described as follows:

Commencing at the intersection of the centerline of Fairhill Road with the centerline of Cedar Avenue;

Thence South 41° 47' 50" East 628.39 feet along the centerline of Fairhill Road;

Thence North 48° 12' 10" East 50.00 feet to a point in the Northeastly line of Fairhill Road being 50.00 feet left of station 15+28.39 of Fairhill Road centerline and the principal place of beginning;

Thence North 57° 14' 00" East 47.00 feet along Grantor's Northwesterly line to a point;

Thence North 54° 24' 43" East 3.60 feet along Grantor's Northwesterly line to a point;

Thence South 20° 44' 20" East 77.93 feet to a point in Grantor's Southeasterly line;

Thence South 57° 14' 00" West 22.28 feet along Grantor's Southeasterly line to a point in the Northeastly line of Fairhill Road;

Thence North 41° 47' 50" West 76.99 feet along the Northeastly line of Fairhill Road to the Point of Beginning.

Description of the above parcel is based on a survey made by George R. Ericsson, Registered Surveyor Number 6748.

It is understood that the strip of land above described contains 2770 square feet (0.0636 acres), more or less.

**PARCEL NO. 3T-1**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Lots No. 410 and No. 411 and bounded and described as follows:

Commencing at the intersection of the centerline of Fairhill Road with the centerline of Cedar Avenue;

Thence South 41° 47' 50" East 562.77 feet along the centerline of Fairhill Road;

Thence South 48° 12' 10" West 30.00 feet to a point in the Southwesterly line of Fairhill Road being 30.00 feet right of Station 14+62.77 of Fairhill Road centerline and the principal place of beginning;

Thence South 41° 47' 50" East 97.06 feet along the Southwesterly line of Fairhill Road to a point in Grantor's Southeasterly line;

Thence South 57° 14' 00" West 30.38 feet along Grantor's Southeasterly line to a point;

Thence North 68° 13' 59" West 45.26 feet to a point;

Thence North 32° 46' 00" West 10.00 feet to a point;

Thence North 57° 14' 00" East 34.00 feet to a point;

Thence North 24° 10' 34" West 49.55 feet to the Point of Beginning.

Description of the above parcel is based on a survey made by George R. Ericsson, Registered Surveyor Number 6748.

It is understood that the strip of land above described contains 2368 square feet (0.0544 acres), more or less.

**Section 2.** That the Director of Law is hereby directed to apply to a court of competent jurisdiction to have a jury impeached to make inquiry into and assess the compensation to be paid for the temporary easement interests hereinbefore described.

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

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

**Ord. No. 415-99.****By Councilmen Cintron, Gordon, Sweeney and Johnson (by departmental request).****An emergency ordinance authorizing the Director of Public Service to make alterations and modifications in Contract No. 51022 with Perk Company Inc. for the rehabilitation of Fulton Road, for the Department of Public Service.**

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

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

**Section 1.** That the Director of Public Service is hereby authorized and directed to make the following alterations and modifications in Contract No. 51022 with Perk Company Inc. for the rehabilitation of Fulton Road with Perk Company Inc. for the Department of Public Service:

UNDERRUN ITEMS		APPROX.	UNIT	UNIT	CONTRACT	QUANTITY	AMOUNT	UNDERRUN
ITEM NO.	DESCRIPTION	QUANT		PRICE	AMOUNT	TO DATE	TO DATE	AMOUNT
4	ITEM 202, PAVEMENT REMOVED, AS DIRECTED BY THE	4,774.0	SY	\$ 0.50	\$ 2,387.00	98.00	\$ 49.00	\$ 2,338.00
11	ITEM 203, EXCAVATION INCLUDING EMBANKMENT CONSTRUCTION, AS DIRECTED BY THE ENGINEER	533.0	CY	\$ 1.00	\$ 533.00	338.33	\$ 338.33	\$ 194.67
12	ITEM SPECIAL, WORK INVOLVING NON-REGULATED MATERIALS, AS PER D-29	150.0	TON	\$ 50.00	\$ 7,500.00	-	\$ -	\$ 7,500.00
13	ITEM SPECIAL, WORK INVOLVING PETROLEUM-CONTAMINATED MATERIALS, AS PER D-29	50.0	TON	\$ 400.00	\$ 20,000.00	-	\$ -	\$ 20,000.00
14	ITEM 203, SUBGRADE COMPACTION, AS DIRECTED BY THE ENGINEER	4,774.0	SY	\$ 0.10	\$ 477.40	98.00	\$ 9.80	\$ 467.60
17	ITEM 207, STRAW OR HAY BALES	20.0	EA	\$ 3.00	\$ 60.00		\$ -	\$ 60.00
27	ITEM 666, TREE PRUNING (6" DIAM.& LESS), AS PER D-31	10.0	EA	\$ 60.00	\$ 600.00	-	\$ -	\$ 600.00
28	ITEM 666, TREE PRUNING (6" - 12" DIAM.), AS PER D-31	5.0	EA	\$ 90.00	\$ 450.00	3.00	\$ 270.00	\$ 180.00
29	ITEM 666, TREE PRUNING (12" - 18" DIAM.), AS PER D-31	15.0	EA	\$ 200.00	\$ 3,000.00	9.00	\$ 1,800.00	\$ 1,200.00
30	ITEM 666, TREE PRUNING (18" - 24" DIAM.), AS PER D-31	39.0	EA	\$ 280.00	\$ 10,920.00	21.00	\$ 5,880.00	\$ 5,040.00
34	ITEM 603, 6" CONDUIT, TYPE B, 706.08 E.S. OR 707.19 (PS 45 MIN)	100.0	LF	\$ 17.00	\$ 1,700.00	38.00	\$ 646.00	\$ 1,054.00
35	ITEM 603, 6" CONDUIT, TYPE B, 706.08 E.S. WITH 706.12 JOINTS OR 707.19 (PS 45 MIN)	100.0	LF	\$ 17.00	\$ 1,700.00	-	\$ -	\$ 1,700.00
36	ITEM 603, 8" CONDUIT, TYPE B, 706.08 E.S. OR 707.19 (PS 45 MIN)	100.0	LF	\$ 20.00	\$ 2,000.00	-	\$ -	\$ 2,000.00
37	ITEM 603, 8" CONDUIT, TYPE B, 706.08 E.S. WITH 706.12 JOINTS OR 707.19 (PS 45 MIN)	100.0	LF	\$ 20.00	\$ 2,000.00		\$ -	\$ 2,000.00
38	ITEM 603, 10" CONDUIT, TYPE B, 706.08 E.S. OR 707.19 (PS 45 MIN)	100.0	LF	\$ 25.00	\$ 2,500.00		\$ -	\$ 2,500.00
39	ITEM 603, 10" CONDUIT, TYPE B, 706.08 E.S. WITH 706.12 JOINTS OR 707.19 (PS 45 MIN)	100.0	LF	\$ 25.00	\$ 2,500.00		\$ -	\$ 2,500.00
40	ITEM 603, 12" CONDUIT, TYPE B, 706.08 E.S. OR 707.19 (PS 45 MIN)	100.0	LF	\$ 30.00	\$ 3,000.00	22.00	\$ 660.00	\$ 2,340.00
41	ITEM 604, TEST TEE	30.0	EA	\$ 395.00	\$ 11,850.00	-	\$ -	\$ 11,850.00
42	ITEM 604, TEST TEE ADJUSTED TO GRADE	50.0	EA	\$ 95.00	\$ 4,750.00	-	\$ -	\$ 4,750.00
46	ITEM 604, MANHOLE RECONSTRUCTED TO GRADE, AS PER D-9	5.0	EA	\$ 400.00	\$ 2,000.00	4.00	\$ 1,600.00	\$ 400.00
50	ITEM SPECIAL, PARTIAL DEPTH JOINT OR CRACK REPAIR, AS PER PLAN, AS DIRECTED BY THE ENGINEER	5,600.0	LF	\$ 2.22	\$ 12,432.00	1,309.00	\$ 2,905.98	\$ 9,526.02
51	ITEM 254, PAVEMENT PLANING, BITUMINOUS	22,803.0	SY	\$ 1.00	\$ 22,803.00	22,297.00	\$ 22,297.00	\$ 506.00
52	ITEM 305, 9" PORTLAND CEMENT CONCRETE BASE, AS DIRECTED BY THE ENGINEER, AS PER D-11	3,841.0	SY	\$ 1.00	\$ 3,841.00	98.00	\$ 98.00	\$ 3,743.00
54	ITEM 304, 6" AGGREGATE BASE, AS DIRECTED BY THE ENGINEER, AS PER D-13	796.0	CY	\$ 1.00	\$ 796.00	338.33	\$ 338.33	\$ 457.67
56	ITEM 403, ASPHALT CONCRETE, AC-20, AS PER D-12, (MAY VARY FROM 1/2" TO 1-3/4")	1,322.0	CY	\$ 61.00	\$ 80,642.00	1,303.00	\$ 79,483.00	\$ 1,159.00
59	ITEM SPECIAL, CONSTRUCTION SEALER WITH ASPHALT	31,345.0	SY	\$ 0.45	\$ 14,105.25	19,000.00	\$ 8,550.00	\$ 5,555.25
63	ITEM 608, 6" CONCRETE WALK (RESIDENTIAL DRIVEWAY)	9,994.0	SF	\$ 3.00	\$ 29,982.00	7,597.80	\$ 22,793.40	\$ 7,188.60
65	ITEM SPECIAL, PAVEMENT REINFORCING FABRIC, AS PER D-15	26,857.0	SF	\$ 0.15	\$ 4,028.55	25,040.00	\$ 3,756.00	\$ 272.55
70	ITEM SPECIAL, REPLACE EXISTING (1" AND UNDER) LEAD OR GALVANIZED WATER SERVICE CONNECTION, COMPLETE, SHORT SIDE, AS PER D-24	38.0	EA	\$ 500.00	\$ 19,000.00	35.00	\$ 17,500.00	\$ 1,500.00
72	ITEM SPECIAL, REPLACE EXISTING (1-1/2", 2") LEAD OR GALVANIZED WATER SERVICE CONNECTION, COMPLETE SHORT SIDE, AS PER D-25	1.0	EA	\$ 950.00	\$ 950.00	-	\$ -	\$ 950.00
74	ITEM SPECIAL, EXPLORATORY EXCAVATIONS, AS PER D-27	20.0	EA	\$ 300.00	\$ 6,000.00	12.00	\$ 3,600.00	\$ 2,400.00
75	ITEM 404, BITUMINOUS CONCRETE FOR MAINTAINING TRAFFIC	200.0	CY	\$ 10.00	\$ 2,000.00	84.94	\$ 849.40	\$ 1,150.60
76	ITEM 410, TRAFFIC COMPACTED SURFACE, TYPE A OR B	200.0	CY	\$ 70.00	\$ 14,000.00	120.25	\$ 8,417.50	\$ 5,582.50
77	ITEM 614, TEMPORARY EDGE LINE	4.8	MILE	\$ 700.00	\$ 3,360.00	-	\$ -	\$ 3,360.00
78	ITEM 614, TEMPORARY CENTER LINE	3.6	MILE	\$ 1,200.00	\$ 4,320.00	3.12	\$ 3,744.00	\$ 576.00
79	ITEM 614, TEMPORARY DOTTED LINE	850.0	LF	\$ 2.00	\$ 1,700.00	135.00	\$ 270.00	\$ 1,430.00
80	ITEM 616, WATER	20.0	MGAL	\$ 1.00	\$ 20.00		\$ -	\$ 20.00
81	ITEM 616, CALCIUM CHLORIDE	5.0	TON	\$ 200.00	\$ 1,000.00		\$ -	\$ 1,000.00
84	ITEM 625, TRENCHING, AS PER PLAN	308.0	SY	\$ 10.00	\$ 3,080.00	232.00	\$ 2,320.00	\$ 760.00
86	ITEM 625, 2" PVC CONDUIT	200.0	LF	\$ 6.50	\$ 1,300.00	179.00	\$ 1,163.50	\$ 136.50
88	ITEM 625, CONCRETE FOR ANCHOR BASE FOUNDATION	24.9	CY	\$ 650.00	\$ 16,172.00	23.68	\$ 15,392.00	\$ 780.00
103	ITEM 632, LOOP DETECTOR PAVEMENT CUTTING	1,280.0	LF	\$ 4.00	\$ 5,120.00	1,226.00	\$ 4,904.00	\$ 216.00
109	ITEM 632, INTERCONNECT CABLE, 6 PAIR PE-38	7,510.0	LF	\$ 1.75	\$ 13,142.50	7,340.00	\$ 12,845.00	\$ 297.50
123	ITEM SPECIAL, PROJECT SIGNS, FURNISHED AND PLACED	4.0	EA	\$ 500.00	\$ 2,000.00	2.00	\$ 1,000.00	\$ 1,000.00
124	ENGINEERING AND CONSTRUCTION CONTINGENCY, AS PER D-6	1.0	LUMP	\$150,000.00	\$ 150,000.00	-	\$ -	\$ 150,000.00
								\$268,241.46

OVERRUN ITEMS								
ITEM NO.	DESCRIPTION	APPROX. QUANT	UNIT	UNIT PRICE	CONTRACT AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE	OVERRUN AMOUNT
3	ITEM 202, CURB REMOVED	12,390.0	LF	\$ 3.00	\$ 37,170.00	12,648.00	\$ 37,944.00	\$ 774.00
5	ITEM 202, PAVEMENT REMOVED (FULL REPLACEMENT)	8,399.0	SY	\$ 1.00	\$ 8,399.00	10,493.00	\$ 10,493.00	\$ 2,094.00
6	ITEM 202, PAVEMENT REMOVED (DRIVEWAY)	3,658.0	SY	\$ 10.00	\$ 36,580.00	4,707.00	\$ 47,070.00	\$ 10,490.00
7	ITEM 202, WALK REMOVED	18,566.0	SF	\$ 0.50	\$ 9,283.00	33,899.00	\$ 16,949.50	\$ 7,666.50
8	ITEM 202, FILL & PLUG EXISTING STORM SEWER	12.0	EA	\$ 150.00	\$ 1,800.00	36.00	\$ 5,400.00	\$ 3,600.00
9	ITEM 202, GUARDRAIL REMOVED	35.0	LF	\$ 1.00	\$ 35.00	51.00	\$ 51.00	\$ 16.00
10	ITEM 203, EXCAVATION INCLUDING EMBANKMENT CONSTRUCTION	2,609.0	CY	\$ 26.95	\$ 70,312.55	5,383.00	\$ 145,071.85	\$ 74,759.30
15	ITEM 203, SUBGRADE COMPACTION (FULL REPLACEMENT)	8,542.0	SY	\$ 1.00	\$ 8,542.00	9,727.00	\$ 9,727.00	\$ 1,185.00
20	ITEM 608, 4" CONCRETE WALK	18,566.0	SF	\$ 2.50	\$ 46,415.00	34,097.57	\$ 85,243.93	\$ 38,828.93
21	ITEM 609, CAST-IN-PLACE CONCRETE CURB, AS PER CD-1	12,390.0	LF	\$ 8.00	\$ 99,120.00	12,648.00	\$ 101,184.00	\$ 2,064.00
24	ITEM 608, CURB RAMP, TYPE III, AS PER CR-1 AND CR-2	1.0	EA	\$ 50.00	\$ 50.00	2.00	\$ 100.00	\$ 50.00
31	ITEM 666, TREE PRUNING (24" - 30" DIAM.), AS PER D-31	29.0	EA	\$ 350.00	\$ 10,150.00	33.00	\$ 11,550.00	\$ 1,400.00
32	ITEM 666, TREE PRUNING (30" - 36" DIAM.), AS PER D-31	12.0	EA	\$ 465.00	\$ 5,580.00	24.00	\$ 11,160.00	\$ 5,580.00
43	ITEM 603, 12" CONDUIT, TYPE B, 706.08 E.S.	1,389.0	LF	\$ 39.00	\$ 54,171.00	1,433.00	\$ 55,887.00	\$ 1,716.00
48	ITEM 605, 4" SHALLOW PIPE UNDERDRAIN WITH FABRIC WRAP, AS PER MD-1C	12,390.0	LF	\$ 7.50	\$ 92,925.00	12,708.00	\$ 95,310.00	\$ 2,385.00
53	ITEM 305, 9" PORTLAND CEMENT CONCRETE BASE, (FULL REPLACEMENT), AS PER D-11	8,542.0	SY	\$ 29.00	\$ 247,718.00	9,556.00	\$ 277,124.00	\$ 29,406.00
55	ITEM 304, 6" AGGREGATE BASE, (FULL REPLACEMENT), AS PER D-13	1,368.0	CY	\$ 30.00	\$ 41,040.00	3,485.00	\$ 104,550.00	\$ 63,510.00
57	ITEM 404, ASPHALT CONCRETE, AC-20, AS PER D-12, (MAY VARY FROM 1" TO 1-3/4")	1,045.0	CY	\$ 61.00	\$ 63,745.00	1,294.00	\$ 78,934.00	\$ 15,189.00
58	ITEM 407, TACK COAT, AS PER D-14	4,533.0	GAL	\$ 1.13	\$ 5,122.29	5,558.00	\$ 6,280.54	\$ 1,158.25
60	ITEM 451, REINFORCED PORTLAND CEMENT CONCRETE PAVEMENT (BUS PADS), AS DIRECTED BY THE ENGINEER	933.0	SY	\$ 40.00	\$ 37,320.00	937.00	\$ 37,480.00	\$ 160.00
61	ITEM 452, 6" PLAIN PORTLAND CEMENT CONCRETE PAVEMENT (RESIDENTIAL DRIVEWAY)	3,776.0	SY	\$ 27.00	\$ 101,952.00	3,798.00	\$ 102,546.00	\$ 594.00
62	ITEM 452, 8" PLAIN PORTLAND CEMENT CONCRETE PAVEMENT (COMMERCIAL DRIVEWAY)	120.0	SY	\$ 29.00	\$ 3,480.00	361.00	\$ 10,469.00	\$ 6,989.00
64	ITEM 608, 8" CONCRETE WALK (COMMERCIAL DRIVEWAY)	318.0	SF	\$ 3.40	\$ 1,081.20	2,713.00	\$ 9,224.20	\$ 8,143.00
85	ITEM 625, 2" PVC CONDUIT ENCASED IN CONCRETE	485.0	LF	\$ 6.00	\$ 2,910.00	647.00	\$ 3,882.00	\$ 972.00
87	ITEM 625, 3" PVC CONDUIT ENCASED IN CONCRETE	1,475.0	LF	\$ 11.00	\$ 16,225.00	1,645.00	\$ 18,095.00	\$ 1,870.00
89	ITEM 630, GROUND MOUNTED SIGN SUPPORT, NO. 3 POST	390.0	LF	\$ 6.50	\$ 2,535.00	468.00	\$ 3,042.00	\$ 507.00
98	ITEM 632, 2 CONDUCTOR, #8 AWG POWER CABLE	290.0	LF	\$ 3.00	\$ 870.00	362.00	\$ 1,086.00	\$ 216.00
99	ITEM 632, 1 CONDUCTOR, #10 AWG GROUND WIRE	290.0	LF	\$ 0.50	\$ 145.00	362.00	\$ 181.00	\$ 36.00
100	ITEM 632, 9 CONDUCTOR, #14 AWG SIGNAL CABLE	1,690.0	LF	\$ 1.25	\$ 2,112.50	2,215.00	\$ 2,768.75	\$ 656.25
101	ITEM 632, 7 CONDUCTOR, #14 AWG SIGNAL CABLE	2,306.0	LF	\$ 1.15	\$ 2,651.90	2,680.00	\$ 3,082.00	\$ 430.10
102	ITEM 632, LOOP LEAD IN CABLE, 2 CONDUCTOR, #14 AWG	8,161.0	LF	\$ 0.85	\$ 6,936.85	8,490.00	\$ 7,216.50	\$ 279.65
104	ITEM 632, LOOP DETECTOR WIRE TYPE "E"	2,752.0	LF	\$ 1.25	\$ 3,440.00	3,556.00	\$ 4,445.00	\$ 1,005.00
105	ITEM 632, LOOP DETECTOR UNIT, DELAY AND EXTENSION TYPE	8.0	EA	\$ 250.00	\$ 2,000.00	20.00	\$ 5,000.00	\$ 3,000.00
119	ITEM SPECIAL, OFF-DUTY POLICEMEN	1,500.0	HRS	\$ 20.00	\$ 30,000.00	1,630.00	\$ 32,600.00	\$ 2,600.00
							\$ 289,329.98	\$ 289,329.98

CHANGE ORDER ITEMS								
ITEM NO.	DESCRIPTION	APPROX. QUANT	UNIT	UNIT PRICE	CONTRACT AMOUNT	QUANTITY TO DATE	AMOUNT TO DATE	TOTAL CHANGE ORDER AMOUNT
CO 1	CATCHBASIN REMOVAL	4.0	EACH	\$ 425.00	\$ 1,700.00	4.00	\$ 1,700.00	\$ 1,700.00
CO 2	TEMPERARY PAVEMENT MARKING	1.0	LUMP	\$ 3,968.75	\$ 3,968.75	1.00	\$ 3,968.75	\$ 3,968.75
CO 3	GEO FABRIC FOR UNDER CUT	2,577.0	SY	\$ 1.25	\$ 3,221.25	1,777.00	\$ 2,221.25	\$ 2,221.25
CO 4	GEO GRID MESH FOR UNDER CUT	2,577.0	SY	\$ 3.95	\$ 10,179.15	2,577.00	\$ 10,179.15	\$ 10,179.15
CO 5	MS CONCRETE 9" BASE	8,789.0	SY	\$ 2.25	\$ 19,775.25	8,789.00	\$ 19,775.25	\$ 19,775.25
CO 6	MS CONCRETE 6" DRIVE APRONS	2,331.0	SY	\$ 1.75	\$ 4,079.25	2,331.00	\$ 4,079.25	\$ 4,079.25
CO 7	MS CONCRETE FOR CURB	123.1	CY	\$ 10.00	\$ 1,231.00	123.10	\$ 1,231.00	\$ 1,231.00
CO 9	CONCRETE PLAINING FOR INTERSECTIONS	1.0	LUMP	\$ 6,798.00	\$ 6,798.00	1.00	\$ 6,798.00	\$ 6,798.00
							\$ 49,952.65	\$ 49,952.65

Subsidiary Overruns	\$ 289,329.98
Subsidiary New items	+ 49,952.65
Subsidiary Additions	\$ 339,282.63
Subsidiary Additions	\$ 339,282.63
Subsidiary Underruns	- 268,241.46
Total Subsidiary Amount	\$ 71,041.17

which alteration has been recommended in writing by the said Director of Public Service, countersigned by the Mayor, and consented to by the surety on said contract, which price to be paid therefor has been agreed upon in writing and signed by the Director of Public Service and the Contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$71,041.17, to be paid from Fund Nos. 20 SF 322, 20 SF 240.

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

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

**Ord. No. 416-99.****By Councilman Cintron.****An emergency ordinance to accept the dedication of a portion of West 19th Street.**

Whereas, that a portion of West 19th Street, (width varies), is open and used as a public street, and is necessary for the general public's access; now therefore

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

**Section 1.** That the dedication of West 19th Street (width varies), extending Northerly from the Northerly line of Barber Avenue S.W. (50 feet wide) to the Southerly line of Auburn Avenue S.W. (width varies), as shown by the recorded plat in Volume 294, Page 19 of Cuyahoga County Map Records, be and the same is hereby accepted as dedicated.

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

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

**Ord. No. 417-99.****By Councilmen Gordon and Johnson (by departmental request).****An emergency ordinance authorizing the Director of Public Health to accept a grant from the Federation for Community Planning from Ohio Department of Health for the 1999 Immunization Action Plan.**

Whereas, pursuant to Ordinance No. 180-99, Council authorized the Director of Public Health to apply for the 1999 Immunization Action Plan; and

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

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

**Section 1.** That the Director of Public Health is hereby authorized to accept a grant in the amount of \$112,838, from the Federation for Community Planning from the Ohio Department of Health, to conduct the 1999 Immunization Action Plan Grant, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 180-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 418-99.****By Councilmen Gordon and Johnson (by departmental request).****An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the 1999 State Child Lead Poison Prevention Program.**

Whereas, pursuant to Ordinance No. 2101-98, this Council authorized the Director of Public Health to apply for a grant to conduct the within described program; and

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

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

**Section 1.** That the Director of Public Health is hereby authorized to accept a grant in the amount of \$75,884, from the Ohio Department of Health, to conduct the 1999 State Child Lead Poison Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 418-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 419-99.****By Councilmen Gordon and Johnson (by departmental request).****An emergency ordinance authorizing the Director of Public Health to apply for a grant from the Cuyahoga County Board of Health for the 1999 Cuyahoga County Health Promotion Project.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to apply for a grant in the amount of \$77,000, from the Cuyahoga County Board of Health, to conduct the 1999 Cuyahoga County Health Promotion Project.

**Section 2.** That the application for said grant, File No. 419-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

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

**Ord. No. 420-99.****By Councilmen Gordon and Johnson (by departmental request).****An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the 1999 STD Control Program.**

Whereas, pursuant to Ordinance No. 179-99, this Council authorized the Director of Public Health to apply for a grant to conduct the within described program; and

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

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

**Section 1.** That the Director of Public Health is hereby authorized to accept a grant in the amount of \$62,409, from the Ohio Department of Health, to conduct the 1999 STD Control Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 420-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

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

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

**Ord. No. 421-99.****By Councilmen Gordon and Johnson (by departmental request).****An emergency ordinance authorizing the Director of Public Health to employ one or more professional nursing services to provide nursing services for the Division of Correction, Department of Public Health.**

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

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

**Section 1.** That the Director of Public Health is hereby authorized to employ by contract one or more professional nursing services for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide nursing services for the Division of Correction, Department of Public Health.



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

**Section 2.** That the costs for such services herein contemplated shall be paid from Fund No. 01-50-03-0320, Request No. 24513.

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

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

**Ord. No. 422-99.**

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

**An emergency ordinance authorizing the Director of Public Health to accept a grant from the Ohio Department of Health for the 1999 Federal AIDS Prevention Program; and to enter into contract with various entities to implement the program.**

Whereas, pursuant to Ordinance No. 96-99, Council authorized the Director of Public Health to apply for a grant to conduct the within described program; and

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

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

**Section 1.** That the Director of Public Health is hereby authorized to accept a grant in the approximate amount of \$868,532, and any other funds as they become available during the grant term, from the Ohio Department of Health, to conduct the 1999 Federal AIDS Prevention Program, for the purposes set forth in the application and according thereto; that the Director of Public Health is hereby authorized to file all papers and execute all documents necessary to receive the funds under said grant; and that said funds be and they hereby are appropriated for the purposes set forth in the application for said grant.

**Section 2.** That the application for said grant, File No. 96-99-A, made a part hereof as if fully rewritten herein, is hereby approved in all respects.

**Section 3.** That the Director of Public Health is hereby authorized to enter into one or more contracts for the implementation of the program as described in the application contained in the file, payable from the fund or funds to which are credited the grant proceeds accepted pursuant to Section 1 of this ordinance with the following agencies, in the following amounts:

Agency	Amount
Cleveland Treatment Center	\$ 204,000.00
Free Clinic of Greater Cleveland	94,500.00
HUMADAOP	78,175.00
AIDS Taskforce of Greater Cleveland	239,003.00
Northeast Ohio Neighborhood Health Services, Inc.	32,325.00
Xchange Point	20,000.00
Mental Health Services for the Homeless	20,000.00
Neighborhood Counseling Services	20,000.00

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

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

**Ord. No. 423-99.**

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

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in the Village of Highland Hills to Mt. Zion Fellowship of the Brethren.**

Whereas, the Director of Economic Development has requested the sale of City-owned property no longer needed for public use and located in the Village of Highland Hills; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is hereby found and determined that the property is no longer needed for public use and that said property being 5 acres of a 10.3 acre parcel located in the Village of Highland Hills, and being east of Northfield Road and south of Harvard Road, and known as being a portion of Permanent Parcel No. 751-01-006, and is more fully described in File No. 423-99-A.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Mt. Zion Fellowship of the Brethren at a price not less than fair market value as determined by the Board of Control.

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

**Section 4.** That this ordinance is hereby declared to be an emergency

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

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

**Ord. No. 424-99.**

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

**An emergency ordinance to amend Sections 2 and 3 of Ordinance Nos. 938-97, 939-97, 1076-97 and 1181-97, passed June 16, 1997, relating to economic development assistance contracts with various entities.**

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

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

**Section 1.** That Section 2 and 3 of Ordinance No. 938-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

**Section 2.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 938-97-B.

**Section 3.** That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22297.

**Section 2.** That existing Section 2 and 3 of Ordinance No. 938-97, passed June 16, 1997, are hereby repealed.

**Section 3.** That Section 2 and 3 of Ordinance No. 939-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

**Section 2.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 939-97-B.

**Section 3.** That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22296.

**Section 4.** That existing Section 2 and 3 of Ordinance No. 939-97, passed June 16, 1997, are hereby repealed.

**Section 5.** That Section 2 and 3 of Ordinance No. 1076-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

**Section 2.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1076-97-B.

**Section 3.** That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22300.

**Section 6.** That existing Section 2 and 3 of Ordinance No. 1076-97, passed June 16, 1997, are hereby repealed.

**Section 7.** That Section 2 and 3 of Ordinance No. 1181-97, passed June 16, 1997, are hereby amended to read, respectively, as follows:

**Section 2.** That the terms of said loan and grant shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 1181-97-B.

**Section 3.** That the costs of said contract shall not exceed Two Million Dollars (\$2,000,000.00), and

shall be paid from Fund Nos. 18 SF 001 and 18 SF 003, Request No. 22301.

**Section 8.** That existing Section 2 and 3 of Ordinance No. 1181-97, passed June 16, 1997, are hereby repealed.

**Section 9.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

**FIRST READING EMERGENCY RESOLUTION REFERRED**

**Res. No. 425-99.**

**By Councilmen Britt, Willis, Sweeney, Robinson and Johnson (by departmental request).**

**An emergency resolution declaring the necessity and intention to appropriate property for public use for the improvement to a portion of Stokes Boulevard.**

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

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

**Section 1.** That for the public purpose of improving a portion of Stokes Boulevard, it is necessary to appropriate a temporary easement interest and this Council hereby declares its intent to appropriate a temporary easement interest in and to the following described property:

**PARCEL NO. 3T**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Lots No. 410 and No. 411 and bounded and described as follows:

Commencing at the intersection of the centerline of Fairhill Road with the centerline of Cedar Avenue;

Thence South 41° 47' 50" East 628.39 feet along the centerline of Fairhill Road;

Thence North 48° 12' 10" East 50.00 feet to a point in the Northeast line of Fairhill Road being 50.00 feet left of station 15+28.39 of Fairhill Road centerline and the principal place of beginning;

Thence North 57° 14' 00" East 47.00 feet along Grantor's Northwesterly line to a point;

Thence North 54° 24' 43" East 3.60 feet along Grantor's Northwesterly line to a point;

Thence South 20° 44' 20" East 77.93 feet to a point in Grantor's Southeast line;

Thence South 57° 14' 00" West 22.28 feet along Grantor's Southeast line to a point in the Northeast line of Fairhill Road;

Thence North 41° 47' 50" West 76.99 feet along the Northeast line of Fairhill Road to the Point of Beginning.

Description of the above parcel is based on a survey made by George R. Ericsson, Registered Surveyor Number 6748.

It is understood that the strip of land above described contains 2770 square feet (0.0636 acres), more or less.

**PARCEL NO. 3T-1**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Lots No. 410 and No. 411 and bounded and described as follows:

Commencing at the intersection of the centerline of Fairhill Road with the centerline of Cedar Avenue;

Thence South 41° 47' 50" East 562.77 feet along the centerline of Fairhill Road;

Thence South 48° 12' 10" West 30.00 feet to a point in the Southwesterly line of Fairhill Road being 30.00 feet right of Station 14+62.77 of Fairhill Road centerline and the principal place of beginning;

Thence South 41° 47' 50" East 97.06 feet along the Southwesterly line of Fairhill Road to a point in Grantor's Southeast line;

Thence South 57° 14' 00" West 30.38 feet along Grantor's Southeast line to a point;

Thence North 68° 13' 59" West 45.26 feet to a point;

Thence North 32° 46' 00" West 10.00 feet to a point;

Thence North 57° 14' 00" East 34.00 feet to a point;

Thence North 24° 10' 34" West 49.55 feet to the Point of Beginning.

Description of the above parcel is based on a survey made by George R. Ericsson, Registered Surveyor Number 6748.

It is understood that the strip of land above described contains 2368 square feet (0.0544 acres), more or less.

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

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

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

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

**Ord. No. 426-99.**

**By Councilman Cimperman.**

**An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 4407 Lester Avenue, 4827 and 4835 Wendell Avenue, and 5814-5818 Portage Avenue to Cleveland Housing Network, Incorporated.**

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

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

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

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

**Section 1.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-20-077 as more fully described in Section 2 below, to Cleveland Housing Network, Incorporated.

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

**P.P. No. 123-20-077**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 67 in the Gallup Subdivision of part of Original One Hundred Acre Lot No. 282 as shown by the recorded plat in Volume 4 of Maps, Page 52 of Cuyahoga County Records and being 40 feet front on the North-easterly side of Lester Street, S.E. and extending back of equal width 120 feet, as appears by said plat.

**Section 3.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-21-121 as more fully described in Section 4 below, to Cleveland Housing Network, Incorporated.

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

**P.P. No. 123-21-121**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 8 in Mrs. John Smith's Subdivision of part of Original One Hundred Acre Lots Nos. 282 and 324, as shown by the recorded plat of said Subdivision in Volume 9 of Maps, Page 33 of Cuyahoga County Records. Said Sublot No. 8 has a frontage of 30 feet on the Northerly side of Wendell Avenue, S.E., and extends back between parallel lines 110 feet as appears by said plat.

**Section 5.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 123-21-123 as more fully described in Section 6 below, to Cleveland Housing Network, Incorporated.

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

**P.P. No. 123-21-123**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No.

10 and the Westerly one-half of Sublot No. 11 in Catherine Smith (Mrs. John Smith's) Allotment of part of Original One Hundred Acre Lots Nos. 282 and 324, together making a piece of land 45 feet front on the Northeasterly side of Wendell Avenue, and 110 feet in depth, between parallel line, as shown by the recorded plat in Volume 9 of Maps, Page 33 of Cuyahoga County Records and said premises are known as 4835 Wendell Avenue, Cleveland, Ohio.

**Section 7.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel No. 125-27-048 as more fully described in Section 8 below, to Cleveland Housing Network, Incorporated.

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

P.P. No. 125-27-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 134 in G.W. Canfield Subdivision of part of Original One Hundred Acre Lot No. 321 as shown by the recorded plat in Volume 9 of Maps, Page 13 of Cuyahoga County Records and being 30 feet 1/2 inch front on the Southeasterly side of Portage Avenue, and extending back 109 feet on the Northeasterly line, 109 feet six and 1/2 inch front on the Southeasterly line and being 30 feet 3/4 inch in the rear as appear by said plat.

**Section 9.** That pursuant to Section 183.021 of the Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is hereby authorized to sell Permanent Parcel Nos. 125-27-049 as more fully described in Section 10 below, to Cleveland Housing Network, Incorporated.

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

P.P. No. 125-27-049

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot No. 135 in G.W. Canfield's Allotment of part of Original One Hundred Acre Lot No. 321, as shown by the recorded plat in Volume 9 of Maps, Page 13 of Cuyahoga County Records, and being 30 feet 1/2 inch front on the Southeasterly side of Portage Avenue, S.E., (formerly Portage Street), and extending back 108 feet 5-1/2 inches on the Northeasterly line, 109 feet on the Southwesterly line, and 30 feet and 3/4 inch wide

in the rear, as appears by said plat.

**Section 11.** That all documents necessary to complete the conveyance authorized by this ordinance shall be executed within six (6) months of the effective date of this ordinance. If all of the documents are not executed within six (6) months of the effective date of this ordinance, or such additional time as may be granted by the Director of Community Development, this ordinance shall be repealed and shall be of no further force or effect.

**Section 12.** That the consideration for the subject parcel shall be established by the Board of Control and shall be not less than Fair Market Value taking into account such terms and conditions, restrictions and covenants as are deemed necessary or appropriate.

**Section 13.** That the conveyance authorized hereby shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain such provisions as may be necessary to protect and benefit the public interest.

**Section 14.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

**Ord. No. 428-99.**

**By Councilman White.**

**An emergency ordinance authorizing and directing the Director of Parks, Recreation and Properties to enter into an agreement with the YMCA of Greater Cleveland relative to recreation programs at the Miles Family YMCA.**

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

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

**Section 1.** That the Director of Parks, Recreation and Properties is authorized and directed to enter into an agreement with the YMCA of Greater Cleveland relative to the provision of enhanced recreation programs, including but not limited to membership initiatives, schol-

arships and field trips for elementary school students, at the Miles Family YMCA located at 11300 Miles Avenue in the City of Cleveland.

**Section 2.** That cost of said agreement shall be in the amount of Seventy-Five Thousand Dollars (\$75,000.00) and shall be paid in equal amounts, \$37,500.00, from each of the following funds, Fund No. 10 SF 166 (Ward 2 Workers' Compensation Neighborhood Capital Fund) and Fund 01, Subfund 001.

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

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

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

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

**Res. No. 429-99.**

**By Councilman White.**

**An emergency resolution urging Mayor of the City of Cleveland to consider the construction and development of new single family housing and a Recreational swimming pool and walking track for the residents of the Union-Miles community at the present John Adams High School site.**

Whereas, John Adams High School was a cornerstone in providing secondary education to residents in the Mount Pleasant and Union-Miles community from 1923 to 1995; and

Whereas, many of the local and business leaders who have made significant contributions to the City of Cleveland attended and graduated from John Adams High School; and

Whereas, John Adams High School made significant contributions to the Mount Pleasant and Union-Miles neighborhood in promoting extra-curricular and recreational activities such as football and track events at the football field for local area high schools, community organizations and youth sports leagues, thus making it a landmark for the community; and

Whereas, the school board made the difficult decision to close the John Adams School building, which saddened the hearts of all school alumnus who were part of the school's rich tradition and proud history; and

Whereas, the John Adams High School building is presently undergoing demolition in order to create development opportunities for the City of Cleveland; and

Whereas, the demolition of John Adams High School could create development opportunities such as construction of new single family housing units for Union-Miles residents, including a swimming pool and walking track for the children and adults of the Union-Miles neighborhood; and

Whereas, such new development could further promote the Union-Miles neighborhood to make it become more attractive to potential new homeowners and businesses, thus making this community very viable; now, therefore,

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

**Section 1.** That Council urges the Mayor of the City of Cleveland to strongly consider the development of new single family housing units along with a swimming pool and walking track for residents of Union-Miles at the site of John Adams High School to promote further revitalization of the neighborhood in order attract more reinvestment to the community.

**Section 2.** That the Clerk of Council be and she hereby is directed to transmit a certified copy of this resolution to the Mayor of the City of Cleveland.

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

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

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

#### SECOND READING EMERGENCY ORDINANCES

##### Ord. No. 2184-98.

By Councilmen White and Johnson (by departmental request).

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

Approved by Directors of Personnel and Human Resources, Finance, Law; Recommended by Committees on Employment, Affir-

mative Action and Training, Finance.

##### Ord. No. 171-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of maintenance for computer system hardware, for the Division of Information System Services, Department of Finance.

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

##### Ord. No. 272-99.

By Councilman Johnson (by departmental request).

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

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

##### Ord. No. 307-99.

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract of the rental of pagers, including paging service, for the various divisions of City government, for a period not to exceed three years.

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

#### SECOND READING EMERGENCY ORDINANCES PASSED

##### Ord. No. 135-99.

By Councilmen Jackson and Johnson (by departmental request).

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the Year XXV grant pursuant to Title I of the Housing and Community Development Act of 1974, for the 1999 Federal HOME Grant Program, for the 1999 Emergency Shelter Program, and the 1999 Housing Opportunities for Persons with AIDS Program.

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

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

##### Ord. No. 175-99.

By Councilmen Coats, Polensek, Sweeney, Robinson and Johnson (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire property located on East 152nd Street, for the purpose of widening the public right-of-way at East 152nd Street between Darwin Avenue and South Waterloo Road.

Approved by Directors of Public Service, City Planning Commission,

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

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

##### Ord. No. 184-99.

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

An emergency ordinance authorizing the Director of Parks, Recreation and Properties to apply for and accept a grant from the Rotary Club Foundation, and other public and private entities, for constructing Rotary Plaza and site improvements to be located at East 9th and Erieside Avenue; and determining the method of making the public improvement of constructing Rotary Plaza and site improvements; authorizing said director to enter into contract for the making of such improvement; and authorizing the purchase by contract of maintenance services for the Plaza, for the Department of Parks, Recreation and Properties.

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

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

#### MOTION

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

The Council adjourned at 8:25 p.m. to meet on Monday, March 22, 1999 at 7:00 p.m.



Clerk of Council

#### THE CALENDAR

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

#### ORDINANCES

##### Ord. No. 2184-98.

By Councilmen White and Johnson (by departmental request).

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

**Ord. No. 134-99.**

**By Councilman Johnson (by departmental request).**

**An emergency ordinance to make appropriations for the current expenses and other expenditures of the City of Cleveland for the year 1999.**

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

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

**Section 1.** That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 1999, the following sums be and they are hereby appropriated viz:

**The sum of Four hundred twenty nine million three hundred seventy four thousand ninety four dollars (\$429,374,094) from the General Fund;**

**The sum of Fifty eight million five hundred ninety four thousand nine hundred sixty two dollars (\$58,594,962) from the Special Revenue Funds;**

The sum of Twenty three million two hundred fifty two thousand three hundred eighty five dollars (\$23,252,385) from the Internal Service Funds;

**The sum of Four hundred forty three million two hundred forty eight thousand fourteen dollars (\$443,248,014) from the Enterprise Funds;**

The sum of Six million four hundred fifty seven thousand five hundred twenty three dollars (\$6,457,523) from the Trust and Agency Funds;

The sum of Sixty two million two hundred fifty four thousand eight hundred seventeen dollars (\$62,254,817) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified as File No. 134-99-A in the aggregate amount for each department as follows:

APPROPRIATION FOR THE YEAR 1999

GENERAL FUND

Legislative Branch		\$4,608,686
Municipal Court		23,890,223
Executive Branch		
Office of the Mayor		1,585,218
Department of Public Safety		251,993,819
Community Relations Board		913,861
Department of Public Service		31,836,388
Department of Parks, Recreation & Properties		<b>36,236,011</b>
Boxing & Wrestling Commission		8,458
Urban Planning & Development		10,230,415
Department of Public Health		<b>11,475,313</b>
Department of Aging		277,582
Support Functions		<b>31,540,717</b>
Transfers to Other Funds		24,877,403
<b>TOTAL EXECUTIVE BRANCH</b>		<b>\$400,875,185</b>
<b>TOTAL GENERAL FUND</b>		<b>\$429,374,094</b>
Special Revenue Funds		<b>\$58,594,962</b>
Internal Service Funds		23,252,385
Enterprise Funds		<b>443,248,014</b>
Trust and Agency Funds		6,457,523
Debt Service Funds		62,254,817
<b>TOTAL APPROPRIATIONS FOR 1999</b>		<b>\$1,023,181,795</b>

GENERAL GOVERNMENT

LEGISLATIVE BRANCH

Council and Clerk of Council		\$4,608,686
I. Personnel and Related Expenses	\$3,146,386	
II. Other Expenses	1,462,300	
<b>TOTAL LEGISLATIVE BRANCH</b>	\$4,608,686	\$4,608,686

MUNICIPAL COURT

Municipal Court - Judicial Division		\$14,132,185
I. Personnel and Related Expenses	\$12,461,029	
II. Other Expenses	1,671,156	

Municipal Court - Housing Division		\$1,992,193
I. Personnel and Related Expenses	<b>\$1,901,217</b>	
II. Other Expenses	<b>90,976</b>	
Municipal Court - Clerk's Division		\$7,765,845
I. Personnel and Related Expenses	<b>\$5,818,044</b>	
II. Other Expenses	<b>1,947,801</b>	
TOTAL MUNICIPAL COURT	\$23,890,223	\$23,890,223

## EXECUTIVE BRANCH

Office of the Mayor		\$1,585,218
I. Personnel and Related Expenses	\$1,346,881	
II. Other Expenses	238,337	
TOTAL EXECUTIVE BRANCH	\$1,585,218	\$1,585,218

## DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$4,709,158
I. Personnel and Related Expenses	\$3,915,679	
II. Other Expenses	793,479	
Division of Police		\$158,575,535
I. Personnel and Related Expenses	\$147,868,152	
II. Other Expenses	10,707,383	
Division of Fire		\$68,782,939
I. Personnel and Related Expenses	\$66,061,353	
II. Other Expenses	2,721,586	
Division of Emergency Medical Services		\$15,764,411
I. Personnel and Related Expenses	\$14,623,455	
II. Other Expenses	1,140,956	
Division of Traffic Engineering		\$3,461,599
I. Personnel and Related Expenses	\$2,696,035	
II. Other Expenses	765,564	
Division of Dog Pound		\$700,177
I. Personnel and Related Expenses	\$558,850	
II. Other Expenses	141,327	
TOTAL DEPARTMENT OF PUBLIC SAFETY	\$251,993,819	\$251,993,819

## COMMUNITY RELATIONS BOARD

Community Relations Board		\$913,861
I. Personnel and Related Expenses	\$857,509	
II. Other Expenses	56,352	
TOTAL COMMUNITY RELATIONS BOARD	\$913,861	\$913,861

## DEPARTMENT OF PUBLIC SERVICE

Public Service Administration		\$399,059
I. Personnel and Related Expenses	\$384,948	
II. Other Expenses	14,111	
Division of Architecture		\$588,553
I. Personnel and Related Expenses	\$550,972	
II. Other Expenses	37,581	
Division of Waste Collection and Disposal		\$26,116,354
I. Personnel and Related Expenses	\$14,512,001	
II. Other Expenses	11,604,353	
Division of Engineering and Construction		\$4,732,422
I. Personnel and Related Expenses	\$4,341,135	
II. Other Expenses	391,287	
TOTAL DEPARTMENT OF PUBLIC SERVICE	\$31,836,388	\$31,836,388

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Parks, Recreation, and Properties Administration		\$714,973
I. Personnel and Related Expenses	\$543,604	
II. Other Expenses	171,369	
Division of Research, Planning, and Development		\$698,052
I. Personnel and Related Expenses	\$623,518	
II. Other Expenses	74,534	
<b>Division of Recreation</b>		<b>\$10,957,182</b>
<b>I. Personnel and Related Expenses</b>	<b>\$7,998,046</b>	
<b>II. Other Expenses</b>	<b>2,959,136</b>	
Division of Parking Facilities-On Street		\$748,642
I. Personnel and Related Expenses	\$706,121	
II. Other Expenses	42,521	
<b>Division of Property Management</b>		<b>\$10,725,319</b>
<b>I. Personnel and Related Expenses</b>	<b>\$8,446,011</b>	
<b>II. Other Expenses</b>	<b>2,279,308</b>	
<b>Division of Park Maintenance and Properties</b>		<b>\$12,391,843</b>
<b>I. Personnel and Related Expenses</b>	<b>\$8,715,526</b>	
<b>II. Other Expenses</b>	<b>3,676,317</b>	
<b>TOTAL PARKS, RECREATION, AND PROPERTIES</b>	<b>\$36,236,011</b>	<b>\$36,236,011</b>

BOXING AND WRESTLING COMMISSION

Boxing and Wrestling Commission		\$8,458
I. Personnel and Related Expenses	\$8,458	
II. Other Expenses	0	
<b>TOTAL BOXING AND WRESTLING COMMISSION</b>	<b>\$8,458</b>	<b>\$8,458</b>

URBAN PLANNING AND DEVELOPMENT

DEPARTMENT OF COMMUNITY DEVELOPMENT

Division of Administrative Services		\$90,978
I. Personnel and Related Expenses	\$90,978	
Division of Building and Housing		\$5,918,590
I. Personnel and Related Expenses	\$5,517,410	
II. Other Expenses	401,180	
Director's Office		\$110,777
I. Personnel and Related Expenses	\$110,777	
Division of Neighborhood Development		\$441,937
I. Personnel and Related Expenses	\$241,937	
II. Other Expenses	200,000	
Division of Neighborhood Services		\$77,317
I. Personnel and Related Expenses	\$77,317	
<b>TOTAL COMMUNITY DEVELOPMENT</b>	<b>\$6,639,599</b>	<b>\$6,639,599</b>

REGULATORY BOARDS AND COMMISSIONS

Landmarks Commission		\$100,391
I. Personnel and Related Expenses	\$92,520	
II. Other Expenses	7,871	
Board of Building Standards and Appeals		\$86,312
I. Personnel and Related Expenses	\$76,712	
II. Other Expenses	9,600	
Board of Zoning Appeals		\$237,816
I. Personnel and Related Expenses	\$218,043	
II. Other Expenses	19,773	

Board of Examiners of Plumbers and Electricians		\$91,446
I. Personnel and Related Expenses	\$87,991	
II. Other Expenses	3,455	
Fair Campaign Finance Commission		\$9,852
II. Other Expenses	\$9,852	
Total Regulatory Boards	\$525,817	\$525,817

## DEPARTMENT OF ECONOMIC DEVELOPMENT

Economic Development		\$1,180,487
I. Personnel and Related Expenses	\$1,048,929	
II. Other Expenses	131,558	
Total Department of Economic Development	\$1,180,487	\$1,180,487
Office of Equal Opportunity		\$621,208
I. Personnel and Related Expenses	\$545,704	
II. Other Expenses	75,504	
City Planning Commission		\$1,208,602
I. Personnel and Related Expenses	1,167,257	
II. Other Expenses	41,345	
Division of Harbors		\$54,702
I. Personnel and Related Expenses	\$54,702	
II. Other Expenses	0	
TOTAL URBAN PLANNING AND DEVELOPMENT	\$10,230,415	\$10,230,415

## DEPARTMENT OF PUBLIC HEALTH

<b>Public Health Administration</b>		<b>\$344,570</b>
<b>I. Personnel and Related Expenses</b>	<b>\$256,002</b>	
<b>II. Other Expenses</b>	<b>88,568</b>	
Division of Correction		\$5,548,916
I. Personnel and Related Expenses	\$4,396,464	
II. Other Expenses	1,152,452	
Division of Health		\$3,215,752
I. Personnel and Related Expenses	\$2,525,828	
II. Other Expenses	689,924	
Division of Environment		\$2,366,075
I. Personnel and Related Expenses	\$2,067,188	
II. Other Expenses	298,887	
TOTAL DEPARTMENT OF PUBLIC HEALTH	<b>\$11,475,313</b>	<b>\$11,475,313</b>

## DEPARTMENT OF AGING

DEPARTMENT OF AGING		\$277,582
I. Personnel and Related Expenses	\$210,484	
II. Other Expenses	67,098	
TOTAL DEPARTMENT OF AGING	\$277,582	\$277,582

## SUPPORT FUNCTIONS

## FINANCIAL AND LEGAL ADMINISTRATION

## DEPARTMENT OF FINANCE

Finance Administration		\$371,555
I. Personnel and Related Expenses	\$338,848	
II. Other Expenses	32,707	
Division of Accounts		\$1,238,891
I. Personnel and Related Expenses	\$835,653	
II. Other Expenses	403,238	



Division of Assessments and Licenses		\$1,165,061
I. Personnel and Related Expenses	\$979,778	
II. Other Expenses	185,283	
Division of Treasury		\$419,806
I. Personnel and Related Expenses	\$353,412	
II. Other Expenses	66,394	
Division of Purchases and Supplies		\$713,027
I. Personnel and Related Expenses	\$620,373	
II. Other Expenses	92,654	
Bureau of Internal Audit		\$421,304
I. Personnel and Related Expenses	\$191,731	
II. Other Expenses	229,573	
Division of Financial Reporting and Control		\$1,218,994
I. Personnel and Related Expenses	\$812,278	
II. Other Expenses	406,716	
TOTAL DEPARTMENT OF FINANCE	\$5,548,638	\$5,548,638
Office of Budget & Management-Budget Admin.		\$530,355
I. Personnel and Related Expenses	\$489,528	
II. Other Expenses	40,827	
<b>Department Law</b>		<b>\$7,428,498</b>
<b>I. Personnel and Related Expenses</b>	<b>\$5,403,748</b>	
<b>II. Other Expenses</b>	<b>2,024,750</b>	
TOTAL FINANCE AND LEGAL ADMINISTRATION	<b>\$13,507,491</b>	<b>\$13,507,491</b>
PERSONNEL ADMINISTRATION		
Office of Personnel		\$1,562,920
I. Personnel and Related Expenses	\$1,114,078	
II. Other Expenses	448,842	
Civil Service Commission		\$1,188,893
I. Personnel and Related Expenses	\$621,807	
II. Other Expenses	567,086	
TOTAL PERSONNEL ADMINISTRATION	\$2,751,813	\$2,751,813
NONDEPARTMENTAL		
County Auditor Deductions		\$846,000
II. Other Expenses	\$846,000	
OTHER ADMINISTRATIVE		\$14,435,413
II. Other Expenses	\$14,435,413	
TOTAL NONDEPARTMENTAL	\$15,281,413	\$15,281,413
TOTAL SUPPORT FUNCTIONS	<b>\$31,540,717</b>	<b>\$31,540,717</b>
<b>TRANSFERS TO OTHER FUNDS</b>		<b>\$24,777,403</b>
<b>II. Other Expenses</b>	<b>\$24,777,403</b>	
TOTAL GENERAL FUND	<b>\$429,374,094</b>	<b>\$429,374,094</b>
SPECIAL REVENUE FUND		
Restricted Income Tax Fund		\$31,371,235
I. Capital	\$19,621,235	
II. Debt Service	11,750,000	
<b>Street Construction, Maintenance &amp; Repair Fund</b>		<b>\$25,223,727</b>
<b>I. Personnel and Related Expenses</b>	<b>\$13,777,856</b>	
<b>II. Other Expenses</b>	<b>7,392,151</b>	
<b>III. Capital</b>	<b>4,053,720</b>	

Schools Recreation & Cultural Activities Fund		\$2,000,000
II. Other Expenses	\$2,000,000	
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>\$58,594,962</b>	<b>\$58,594,962</b>

## INTERNAL SERVICE FUND

Information Systems Services-Telephone Exchange		\$3,931,349
I. Personnel and Related Expenses	\$394,372	
II. Other Expenses	3,536,977	
Information Systems Services		\$2,564,014
I. Personnel and Related Expenses	\$1,366,218	
II. Other Expenses	1,197,796	
Division of Motor Vehicle Maintenance		\$14,885,978
I. Personnel and Related Expenses	\$4,594,573	
II. Other Expenses	10,291,405	
Division of Printing and Reproduction		\$1,102,442
I. Personnel and Related Expenses	\$566,294	
II. Other Expenses	536,148	
City Storeroom and Central Warehouse		\$768,602
I. Personnel and Related Expenses	\$63,675	
II. Other Expenses	704,927	
<b>TOTAL INTERNAL SERVICE FUNDS</b>	<b>\$23,252,385</b>	<b>\$23,252,385</b>

## ENTERPRISE FUNDS

## DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$1,023,283
I. Personnel and Related Expenses	\$756,233	
II. Other Expenses	267,050	
Radio		\$2,548,843
I. Personnel and Related Expenses	\$91,385	
II. Other Expenses	2,457,458	
Division of Fiscal Control		\$1,721,000
I. Personnel and Related Expenses	\$1,605,517	
II. Other Expenses	115,483	
Division of Water		\$189,052,000
I. Personnel and Related Expenses	\$62,879,000	
II. Other Expenses	126,173,000	
Division of Water Pollution Control		\$19,915,906
I. Personnel and Related Expenses	\$7,365,172	
II. Other Expenses	12,550,734	
<b>Division of Cleveland Public Power</b>		<b>\$125,323,774</b>
<b>I. Personnel and Related Expenses</b>	<b>\$23,347,387</b>	
<b>II. Other Expenses</b>	<b>101,976,387</b>	
<b>TOTAL DEPARTMENT OF PUBLIC UTILITIES</b>	<b>\$339,584,806</b>	<b>\$339,584,806</b>

## DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports - Operations		\$82,963,403
I. Personnel and Related Expenses	\$19,394,887	
II. Other Expenses	63,568,516	
Airport Development Fund		\$60,000
II. Other Expenses	60,000	
<b>TOTAL DEPARTMENT OF PORT CONTROL</b>	<b>\$83,023,403</b>	<b>\$83,023,403</b>

DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Division of Cemeteries		\$2,161,746
I. Personnel and Related Expenses	\$1,627,836	
II. Other Expenses	533,910	
Golf Course Fund		\$2,409,275
I. Personnel and Related Expenses	\$929,370	
II. Other Expenses	1,479,905	
Division of Parking Facilities-Off Street Parking		\$8,230,301
I. Personnel and Related Expenses	\$843,955	
II. Other Expenses	7,386,346	
Division of Convention Center & Stadium-Convention Center		\$6,649,793
I. Personnel and Related Expenses	\$1,971,251	
II. Other Expenses	4,678,542	
Division of Convention Center & Stadium-Market		\$1,111,472
I. Personnel and Related Expenses	\$353,038	
II. Other Expenses	758,434	
Division of Property Management - East Side Market		\$77,218
I. Personnel and Related Expenses	\$40,716	
II. Other Expenses	36,502	
TOTAL PARKS, RECREATION, & PROPERTIES	\$20,639,805	\$20,639,805
TOTAL ENTERPRISE FUNDS	<b>\$443,248,014</b>	<b>\$443,248,014</b>

AGENCY FUND

Central Collection Agency		\$6,457,523
I. Personnel and Related Expenses	\$3,809,119	
II. Other Expenses	2,648,404	
TOTAL AGENCY FUND	\$6,457,523	\$6,457,523

DEBT SERVICE FUND

Sinking Fund Commission		\$41,354,817
I. Personnel and Related Expenses	\$111,136	
II. Other Expenses	380,533	
III. Debt Service	40,863,148	
Stadium Bond Fund		\$20,900,000
III. Debt Service	\$20,900,000	
TOTAL DEBT SERVICE FUNDS	\$62,254,817	\$62,254,817

**Section 2.** That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate File No. 134-99, but are appropriated to the several departments, offices, and purposes in the aggregate for I. - Personnel and Related Expenses; and II. - Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 1998 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 1999 or prior years. The Mayor's Estimate File No. 134-99-A, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 1999 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. - Personnel and Related Expenses, or II. - Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

**Section 3.** That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

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

**Ord. No. 171-99.**

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the purchase by contract of maintenance for computer system hardware, for the Division of Information System Services, Department of Finance.

**Ord. No. 272-99.**

By Councilman Johnson (by departmental request).

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

**Ord. No. 307-99.**

By Councilman Johnson (by departmental request).

An emergency ordinance authorizing the procurement by requirement contract of the rental of pagers, including paging service, for the various divisions of City government, for a period not to exceed three years.

**BOARD OF CONTROL**

March 10, 1999

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 10, 1999, at 11:00 a.m., with Mayor White presiding.

Present: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Absent: None.

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

On motion, the following resolutions were adopted.

**Resolution No. 116-99.**

By Director Carmody.

Resolved, by the Board of Control of the City of Cleveland that the bid of Teletronics, Inc. for an estimated quantity of Computer Related Hardware Equipment (All items) for the Division of various divisions of City Government, Department of Finance, for the period of six (6) months beginning with the date of execution of a contract received on February 17, 1999, pursuant to the authority of Ordinance No. 1471-97, passed October 13, 1997, which on the basis of the estimated quantity would amount to Two Hundred Ninety-Three Thousand Thirty and 00/100 Dollars, (\$293,030.00), (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 18582

which shall be certified against such contract in the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirements for such goods and/or services, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Axelrod.

Nays: None.

Absent: Director Warren.

**Resolution No. 117-99.**

By Director Balraj.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the 1999 Annual Budget and calculation of the Rentals and Landing Fee Rates dated and mailed to the Airlines on January 29, 1999, and discussed by them at the February 16, 1999 meeting shall be adopted and effective January 1, 1999.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 118-99.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on January 15, 1999 for Emergency Light Bars, Emergency Sirens, Shotgun Locks and Screen Conversion Kits for Various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1074-98, passed by the Council of the City of Cleveland on June 15, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 119-99.**

By Director Ricchiuto.

Resolved by the Board of Control of the City of Cleveland that all bids received on February 5, 1999 for one Tandem Axle Cab and Chassis with Street Flusher Body for Various Divisions of City Government, Department of Public Service, pursuant to the authority of Ordinance No. 1074-98, passed by the Council of the City of Cleveland on June 15, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 120-99.**

By Director Jackson.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 1422-98 passed by the Council of the City of Cleveland on December 7, 1998, the firm of W.T.W. Architects, is hereby selected upon the nomination of the Director of Parks, Recreation and Properties from a list of qualified firms available for such employment as the firm of consul-

tants ("Consultant") to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City in order to provide the architectural and engineering services necessary for the Highland Park Cemetery Main Office Building Renovation.

Be it further resolved, that the Director of Parks, Recreation and Properties hereby is authorized to enter into a written contract with W.T.W. Architects based upon its proposal dated January 15, 1999, which contract shall be prepared by the Director of Law and shall include such additional provisions as he deems necessary to benefit and protect the public interest.

The fees for services to be performed under the contract authorized hereby shall not exceed Forty Thousand Six Hundred Eighty and No/100 Dollars (\$40,680.00). Reimbursable expenses shall not exceed Two Thousand Three Hundred and No/100 Dollars (\$2,300.00). The total compensation to the Consultant shall not exceed Forty Two Thousand Nine Hundred Eighty and No/100 Dollars (\$42,980.00).

Be it further resolved, that the employment of the following subconsultant by W.T.W. Architects is hereby approved:

John Foster and Associates  
MBE — 2%

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 121-99.**

By Director Jackson.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on February 24, 1999 for Maplewood Ball Diamond Complex Fence Improvements for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, pursuant to the authority of Ordinance No. 1605-98, passed by the Council of the City of Cleveland on October 19, 1998, be and the same are hereby rejected.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.

Nays: None.

Absent: None.

**Resolution No. 122-99.**

By Director Warren.

Whereas, pursuant to the authority of Ordinance No. 1729-98, passed November 25, 1998 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized by and at the direction of the Board of Control to sell certain City-owned property no longer needed for public use, described therein and also known as being part of the northwest corner of East 131st Street and Miles to Rite Aid of Ohio Inc., and reserving certain easement rights in said property for the public purpose of ingress, egress and street widening, and

Whereas, said Ordinance No. 1729-98 provided that the consideration to be paid for the property shall be at a price not less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 1729-98, passed November 25, 1998 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is hereby directed to sell certain City owned property, no longer needed for public use, described therein and also known as being part of the northwest portion of the corner of East 131st Street and Miles Avenue, to Rite Aid of Ohio Inc. for a price of Twenty-Two Thousand and Five Hundred Dollars (\$22,500) which amount is hereby determined to be not less than fair market value, and reserving certain easement rights for the public purpose of ingress, egress and street widening in said property.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property, as aforesaid.

Yeas: None.  
Nays: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.  
Absent: None.

**Resolution No. 123-99.**

By Director Warren.  
Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 83-99, adopted by this Board of Control on February 17, 1999, is hereby amended by deleting "for a price" after the phrase "Cleveland City Council" and inserting in lieu thereof: ", as amended by Ordinance No. 330-99, passed by Cleveland City Council March 1, 1999, for a gross price".

Be it further resolved that all other provisions of said Resolution No. 83-99 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson, Warren and Axelrod.  
Nays: None.  
Absent: None.

**Resolution No. 124-99.**

By Director Carmody.  
Resolved, by the Board of Control of the City of Cleveland that the bid of F & E Check Protectors for an estimated quantity of Check Signing, Folding and Sealing Equipment (Item #2 and #4 thru #7) for the Division of various divisions of City Government, Department of Finance, for the period of one year beginning with the date of execution of a contract received on February 24, 1999, pursuant to the authority of Ordinance No. 1744-97, passed October 20, 1997, which on the basis of the estimated quantity would amount to Twenty Four Thousand Three Hundred Ninety and 00/100 Dollars, (\$24,390.00), (2% 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Finance is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 093454 which shall be certified against such contract in the sum of Twenty Four Thousand Three Hundred Ninety and 00/100 Dollars (\$24,390.00).

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

Yeas: Mayor White, Directors Carter, Carmody, Konicek, Balraj, Ricchiuto, Whitlow, Guzman, Jackson, Hudecek, Patterson and Axelrod.

Nays: None.  
Absent: Director Warren

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

FREDDIE J. FENDERSON,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, MARCH 29, 1999**

**9:30 A.M.**

**Calendar No. 99-39:** 4447 Lee Road  
Quinton Durham, Jr., owner, appeals to construct a 24' x 289' storage garage on an approximate 367' x 440' irregular shaped corner parcel in a Local Retail District on the southeast corner of South Miles Road and Lee Road at 4447 Lee Road; said construction being contrary to the Yards and Courts Regulations of Section 357.07(a) where a 10' setback is required and 0' is proposed and the Local Retail Business Regulations of Section 343.01 where bulk storage is not permitted in a Local Retail District but first permitted in a Semi-Industry District as per Section 345.03 and contrary to the Landscaping and Screening Regulations where a 0' landscaping strip is proposed between the parking spaces and Lee Road and 6' is required as stated in Sections 352.10 and 352.11 of the Codified Ordinances.

**Calendar No. 99-40:** 2261-2263 East 83rd Street

Yvonne Ball, owner, appeals from the refusal to approve a lot split for a 33' x 173' lot on the east side of East 83rd Street located in a Limited Multi-Family District into a 33' x 90' parcel in the front and a 33' x 83' parcel in the rear of property occupied by a 2 1/2 story dwelling house in the front and a 2 story frame dwelling house in the rear at 2261-2263 East 83rd Street; said refusal issued by JoMarie Wasik, Acting Commissioner of Engineering and Construction, and Hunter Morrison, Director of City Planning, under the authority of Section 355.04 of the Codified Ordinances.

**Calendar No. 99-41:** 2255 Hamilton Avenue

Victor Banis, owner, and Tony Aseff, tenant, appeal to maintain use of an existing 34' x 54' 2-story masonry storage building as a non-conforming adult cabaret use located in a Semi-Industry District and situated on a 36' x 120' corner parcel at the corner of East 23rd Street and Hamilton Avenue, 2255 Hamilton Avenue; said use being contrary to the Nonconforming Use Regulations where the renovations of the building in question should not exceed 50% of the valuation of the building unless the building is changed to a conforming use as stated in Section 359.03 of the Codified Ordinances.

**Calendar No. 99-42:** 3843 Bosworth Avenue

Charlotte Mullican, owner, appeals to install 40 linear ft. of 6' high stockade fencing on the northwesterly side of a 140' x 46' parcel in a Two-Family District located on the northeasterly side of Bosworth Avenue; said fence installation being contrary to the Residential District Regulations where the permitted maximum height of fence along the side lot line in a residence district is 6' or the distance between the neighbor's house and fence, whichever is less, and a 6' high fence is proposed where the distance between the neighboring house and the proposed fence is 4', which permits a 4' high fence as per Section 337.23(a)(6) of the Codified Ordinances.

**Calendar No. 99-43:** 8245 Broadway

Ronald Ferrari, owner, appeals to install approximately 445 linear ft. of 6' high chain link fencing on the northeasterly, the west, south and westerly sides of a 198' x 210' irregular shaped corner parcel on the east side of Broadway at the southeasterly corner of Booth Avenue and Broadway; said installation being contrary to the Yards and Courts Regulations of Section 357.07 where the fence sits within the building setback line which is 43' from the center line of Broadway and the proposed fence height is 6'-0" and the maximum height of fence permitted within the setback area is 4'-6" as stated in Section 357.13(b)(3) of the Codified Ordinances.

**Calendar No. 99-60:** 11225 Detroit Avenue

Kristen Kemper, owner c/o Paul Vernon, agent, appeals to construct a 4'-5" wide x 14' long x approximately 7' high arbor/trellis with free standing wooden columns to the west of an existing 38' x 27' one-

story office building and an 8'-10" wide x 4'6" long x 7' high arbor/trellis with free standing wooden columns to the south of the existing 38' x 27' one-story office building, all located on the southeasterly corner of West 114th Street and Detroit at 11225 Detroit Avenue; said construction being contrary to the Yards and Courts Regulations of Section 357.07(a) where a 10' setback is required and 9' is proposed and where the side street and front yard shall be maintained free and unobstructed except for trees and shrubbery as stated in Section 357.13 of the Codified Ordinances.

EUGENE CRANFORD, JR.,  
Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 15, 1999

At the Meeting of the Board of Zoning Appeals on Monday, March 15, 1999, the following appeals were heard by the Board:

The following appeals were **Approved**:

**Calendar No. 99-26:** 18101 Lorain Avenue  
Fairview Hospital, owner, and Ronald Miller, agent, appealed to construct an above grade pedestrian bridge from a proposed new patient care facility on the north side of Old Lorain Road to an existing parking lot on the south side of Old Lorain Road in a Limited One-Family District.

**Calendar No. 99-28:** 12421-12435 Superior Avenue  
Daniel M. Slane, owner, and Ministerial Day Care, tenant, appealed to change use of existing one-story masonry retail store building and parking lot into a day care center facility in a Local Retail District.

**Calendar No. 99-31:** 12626 Bellaire Road  
Nabeeh and Nabeeha Kash, owners, and Brotherman, Inc., tenant, appealed to change use of an existing building and parking lot into a carry-out restaurant in a General Retail Business District.

The following appeal was **Denied**:

**Calendar No. 99-25:** 2144-2146 West 80th Street  
Gheorghe Oancea, owner, appealed to install two parking spaces in the front of an existing two family dwelling house in the setback area in the front half of a lot in a Two-Family District.

The following appeals were **Postponed**:

**Calendar No. 98-256:** 12013 Ashbury Avenue postponed to April 19, 1999.

**Calendar No. 99-8:** 1519 Lakeview Avenue postponed to April 12, 1999.

**On Monday, March 15, 1999, in Executive Session:**

The following appeals were heard on Monday, March 8, 1999, and said

decisions to **GRANT** were approved and adopted by the Board on Monday, March 15, 1999:

**Calendar No. 99-20:** 3446 West 117th Street

Ray Galindo, owner, and Richard Lalli, agent, appealed to change use of an existing 35' x 35' one-story brick building into a kitchen for the preparation and retail distribution of salsa on a 124' x 40' parcel in a General Retail Business District.

**Calendar No. 99-21:** 3611 Payne Avenue, a.k.a. 1629-1633 East 36th Street

Eric Duong, owner, and Nicholas Daria, agent, appealed to change use of an existing 170' x 92' laundry and office masonry building into a warehouse storage and distribution facility on a 270' x 150' parcel in a Local Retail and Two-Family District.

**Calendar No. 99-22:** 3063 West 48th Street

Saul Garcia, owner, and Ramon Harrigan, agent, appealed to change use of an existing 50' x 20' one and a half story dwelling house into a two dwelling unit on a 125' x 40' parcel in a Two-Family District.

**Calendar No. 98-258:** 6802 Bonna Avenue, N.E.

Lydia Jackson, owner, appealed to enclose the 17'-6" x 6' one-story existing front porch of a two-story dwelling house in a Two-Family District.

**Calendar No. 99-11:** 5703 Broadway

KeyBank, owner c/o Pat Casey, and Frederick J. Schirmer, agent, appealed to erect an 8' x 8' drive-up ATM kiosk and a 10' x 10' signage band and canopy to the south of an existing 95' x 45' bank building in a General Retail District.

**Calendar No. 99-12:** 10711-17 Detroit Avenue

George Framm, owner, and Akram Shafik, tenant, appealed to change use of an existing 65' x 27' one-story storage and office building into a print shop in a Residence Office District and Local Retail Business District.

The following appeal was heard on Monday, March 8, 1999, and said decision to **DENY** was approved and adopted by the Board on March 15, 1999:

**Calendar No. 99-16:** 12702 Bellaire Road

Thomas Padgett, owner, appealed to change use of an existing 44' x 28' one-story masonry garage and 18' x 16' storage shed into a limousine service for vehicle dispatching, parking and repairs in a General Retail Business District.

EUGENE CRANFORD, JR.,  
Secretary

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

NO MEETING

386

### 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

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

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Thursday, March 18, 1999  
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Thursday, March 18, 1999, at 1:30 P.M., to consider the following ordinance now pending in the Council:

**Ord. No. 2060-98.**

By Councilman Cintron.

An ordinance to establish a Planned Unit Development Overlay District and approve the corresponding Planned Unit Development project on properties located at the northeast corner of West 32 Street and Clinton Avenue and shown as Map Change No. 1984, Sheet No. 1 and to change the Use, Area and Height Districts of said parcel. (Map Change No. 1984, Sheet No. 1).

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

O DELIA V. ROBINSON,  
Chairman

Committee on City Planning

March 10, 1999 and March 17, 1999

### CITY OF CLEVELAND BIDS

For All Departments

**Scaled 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, MARCH 24, 1999**

**Maplewood Ball Diamond Complex Fence Improvements.** for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland, October 19, 1998.

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

March 10, 1999 and March 17, 1999

**THURSDAY, MARCH 25, 1999**

**Cellular Service and Equipment,** for the Department of Finance, as authorized by Ordinance No. 2150-91, passed by the Council of the City of Cleveland, October 21, 1991.

March 10, 1999 and March 17, 1999

**FRIDAY, MARCH 26, 1999**

**Pre-Sort Mail Service,** for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 272-99.

March 10, 1999 and March 17, 1999

**WEDNESDAY, MARCH 31, 1999**

**Network Communications Equipment,** for the Division of Cleveland, Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUESDAY, MARCH 23, 1999, 10:00 A.M., AT THE CLEVELAND PUBLIC POWER BUILDING, 1300 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

**PC Components and Software,** for the Division of Cleveland, Public Power, Department of Public Utilities, as authorized by Ordinance No. 1071-93, passed by the Council of the City of Cleveland, June 7, 1993.

A MANDATORY PRE-BID MEETING WILL BE HELD ON TUES-

DAY, MARCH 23, 1999, 10:00 A.M., AT THE CLEVELAND PUBLIC POWER BUILDING, 1300 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

**Air Analyzer Equipment,** for the Department of Public Health, as authorized by Ordinance No. 1724-98, passed by the Council of the City of Cleveland, November 16, 1998.

March 10, 1999 and March 17, 1999

**THURSDAY, APRIL 1, 1999**

**Manhole Risers,** for the Division of Street Maintenance, Department of Public Service, as authorized by Ordinance No. 297-98, passed by the Council of the City of Cleveland, April 27, 1998.

March 10, 1999 and March 17, 1999

**WEDNESDAY, APRIL 7, 1999**

**One (1) 4X4 Cab and Chassis with Dump Body,** for the Division of Recreation, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 1690-98, passed by the Council of the City of Cleveland, November 23, 1998.

**Rehabilitation of Approximately Fifty (50) Dump Truck Bodies,** for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1602-98, passed by the Council of the City of Cleveland, November 23, 1998.

**One (1) Cab and Chassis with Line Body/Bucket,** for the various divisions of City Government, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

March 10, 1999 and March 17, 1999

**FRIDAY, APRIL 9, 1999**

**Digital Electronic Telecommunications System,** for the Department of Finance, as authorized by Ordinance No. 1174-97, passed by the Council of the City of Cleveland, July 16, 1997.

March 10, 1999 and March 17, 1999

**WEDNESDAY, MARCH 31, 1999**

**Moreland Boulevard Median Site Improvements,** for the Division of Research, Planning and Development, Department of Public Utilities, as authorized by Ordinance No. 1605-98, passed by the Council of the City of Cleveland, October 19, 1998.

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.

March 17, 1999 and March 24, 1999

**WEDNESDAY, APRIL 7, 1999**

**Replacement of a 54-Inch Raw Water Butterfly Valve at Crown Water Plant,** for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 965-93, passed by the Council of the City of Cleveland, July 14, 1993.

A DEPOSIT OF ONE HUNDRED DOLLARS (\$100.00) CERTIFIED CHECK WILL BE REQUIRED FOR EACH SET OF PLANS AND SPECIFICATIONS. THE DEPOSIT WILL BE REFUNDED IF THE PLANS AND SPECIFICATIONS ARE RETURNED IN GOOD CONDITION WITHIN FIFTEEN (15) DAYS AFTER THE BID OPENING DATE. A PRE-BID MEETING WILL BE HELD ON MONDAY, MARCH 29, 1999, 10:00 A.M. AT CROWN WATER PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO.

**Potassium Permanganate,** for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of the City of Cleveland.

**Dewatered Residuals,** for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1936-96, passed by the Council of the City of Cleveland, December 2, 1996.

March 17, 1999 and March 24, 1999

**THURSDAY, APRIL 8, 1999**

**9MM Pistols,** for the Division of Police, Department of Public Safety, as authorized by Section 135.065 of the Codified Ordinances of the City of Cleveland, 1976.

March 17, 1999 and March 24, 1999

**One (1) Tandem Axle Cab and Chassis with Street Flusher Body,** for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1074-98, passed by the Council of the City of Cleveland, June 15, 1998.

March 17, 1999 and March 24, 1999

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 340-99. By Councilman Coats. An emergency resolution urging HUD to demolish the Belvoir-Cliffs apartment building and to grant title to the property to the City of Cleveland for compatible neighborhood development.**

Whereas, the U.S. Department of Housing and Urban Development (HUD) owns the Belvoir-Cliffs, a 160 unit apartment building, located at the intersection of Belvoir Blvd. and Cliffview Road in the Euclid Park community of the City of Cleveland; and

Whereas, HUD was forced to assume ownership and control of the building because its previous owner let the property fall into severe disrepair, as evidenced by numerous significant code violations and its very low occupancy rate; and

Whereas, Belvoir-Cliffs has become a haven for illegal drug activities and prostitution, presenting a profound safety risk to the surrounding neighborhood; and

Whereas, the configuration of the buildings lacks recreational and structural amenities and presents a barracks-like appearance, detracting from the aesthetic appearance of the neighborhood and making it markedly different from the surrounding ranch-style houses; and

Whereas, the citizens of the community, in the interest of safety and well-being of the neighborhood, have expressed their desire to have the facility demolished, as opposed to HUD performing a cosmetic alteration of the apartment building; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland urges HUD to act in the best interest of the residents of the City of Cleveland and to demolish the Belvoir-Cliffs apartment building, as it unsafe and undesirable for low income housing.

**Section 2.** That, upon demolition of Belvoir-Cliffs, HUD grant title to the property to the City of Cleveland so that it may be developed in a use that is compatible with and meets the needs of the surrounding community.

**Section 3.** That the Clerk of Council is hereby requested to transmit a copy of this Resolution to Andrew Cuomo, Secretary of the U.S. Department of Housing and Urban Development; Mayor Michael White; and Linda Hudecek, Director of Community Development.

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

Adopted March 1, 1999.

Awaiting the approval or disapproval of the Mayor.

**Res. No. 382-99.**

**By Councilman Cintron.**

**An emergency resolution opposing H.B. 94, pending before the Ohio legislature, requiring use of the English language for all official actions of state agencies and political subdivisions.**

Whereas, the United States was founded on the principal of respecting and accepting diversity, both religious and ethnic, among its citizens; and

Whereas, since its inception, the United States has been a "melting pot" and a multilingual nation; and

Whereas, the City of Cleveland contains a diverse community with a multiracial, multicultural and multilingual history and tradition; and

Whereas, the Council of the City of Cleveland recognizes and takes great pride in this diversity and the benefits that it brings to all residents of the City; and

Whereas, the Council acknowledges an unfortunate and unacceptable increase in outward manifestations of racial, cultural and linguistic intolerance which is often accompanied by violent acts that

threaten the public safety and welfare; and

Whereas, this intolerance for diversity is evident in H.B. 94, currently pending before the Ohio legislature, that requires that the English language be used in the official actions and proceedings of state agencies and political subdivisions; now, therefore,

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

**Section 1.** That the Council of the City of Cleveland welcomes all residents and celebrates racial, cultural and language diversity as evidence of the great pluralistic tradition and history of our city and nation.

**Section 2.** That this Council is opposed to House Bill 94 and other similar legislative initiatives that discourage diversity and promote misunderstanding and isolation of divergent cultures and this Council further urges state legislators to oppose H.B. 94.

**Section 3.** That the Clerk is hereby requested to forward a copy of this Resolution to JoAnn Davidson, Speaker of the Ohio House of Representatives and to Dennis Dove, Director of Community Relations for the City of Cleveland.

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

Adopted March 8, 1999.

Effective March 17, 1999.

**Res. No. 383-99.**

**By Councilman Johnson.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit to 2780 E. 116th St. & Gas Pumps, and repealing Res. No. 2063-98, objecting to said transfer of ownership.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 2780 E. 116th St. & Gas Pumps, by Res. No. 2063-98, adopted November 23, 1998; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 Liquor Permit to 2780 E. 116th St. & Gas Pumps, be and the same is hereby withdrawn and Res. No. 2063-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate transfer of ownership thereof.

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

Adopted March 8, 1999.

Effective March 17, 1999.

**Res. No. 384-99.**

**By Councilman Patmon.**

**An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit to 7600 St. Clair Ave., and repealing Res. No. 1493-98, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C1 and C2 Liquor Permit to 7600 St. Clair Ave., by Res. No. 1493-98, adopted August 19, 1998; and

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

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

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

**Section 1.** That objection to the renewal of a C1 and C2 Liquor Permit to 7600 St. Clair Ave., be and the same is hereby withdrawn and Res. No. 1493-98, containing said objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted March 8, 1999.

Effective March 17, 1999.

**Res. No. 385-99.**

**By Councilman Westbrook.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 3021 W. 105th St.**

Whereas, Council has been notified by the Director of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 65502630001, 10111 Detroit Inc., DBA Mr. Morrisons, 3021 W. 105th 1st Fl. & Bsmt., Cleveland, Ohio 44111, to Permit No. 4983511, Lakewood Cafe Inc., 3021 W. 105th St., Cleveland, Ohio 44111; and

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

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

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

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

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



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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Permit No. 65502630001, 10111 Detroit Inc., DBA Mr. Morrisons, 3021 W. 105th 1st Fl. & Bsmt., Cleveland, Ohio 44111, to Permit No. 4983511, Lakewood Cafe Inc., 3021 W. 105th St., Cleveland, Ohio 44111 and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted March 8, 1999.

Effective March 17, 1999.

**Res. No. 398-99.**

**By Councilman Westbrook.**

**An emergency resolution recognizing and supporting the work of Cleveland Today to improve the social and economic welfare of Cleveland and its citizens.**

Whereas, the City of Cleveland strives to maintain and improve the social welfare and economic well-being of its citizens through economic development, infrastructure improvements, urban renewal, job creation and cultural and multi-cultural awareness and understanding; and

Whereas, despite the progress made, obstacles remain to Cleveland's attainment of its full potential in these areas; and

Whereas, one of the roles of city government is to understand and address such needs and issues vital to the quality of life of its citizens and to foster a dialogue with and among its citizens regarding such issues; however, in properly serving its citizens, local government faces budgetary and other constraints preventing it from doing all it could regarding these issues; and

Whereas, Cleveland Today is a non-profit organization that is working and expending its own resources to conduct research on remaining impediments to Cleveland's achieving its full potential in these areas and has assumed the burden of conducting such research, supporting and participating in civic planning and cultural processes with and

among local governmental entities, residents and other not-for-profit organizations by, among other things, the conducting of forums and the production and distribution of educational materials regarding Cleveland; now, therefore

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

**Section 1.** That the Council of the City of Cleveland does hereby support and endorse the work by Cleveland Today in which the City of Cleveland is engaged or would otherwise be compelled to undertake.

**Section 2.** That this Council recognizes and is grateful for the efforts of Cleveland Today in such endeavors and looks forward to sharing the results of this work and working in concert with Cleveland Today to improve the social and economic welfare of Cleveland and its citizens.

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

Adopted March 8, 1999.

**Ord. No. 2105-98.**

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

**An emergency ordinance authorizing the purchase by requirement contract of various citations, for the Division of Police, Department of Public Safety.**

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

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

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

**Section 2.** The cost of said contract shall be charged against the proper appropriation account and the Director of Finance shall certify thereon the amount of the initial purchase thereunder, which purchase, together with all subsequent purchases, shall be made on order of the Commissioner of Purchases and Supplies pursuant to a requisition against such contract duly certified by the Director of Finance. (RL 24388)

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

Passed March 1, 1999.

Effective March 10, 1999.

**Ord. No. 103-99.**

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

**An emergency ordinance authorizing the Director of Community Development to enter into contract with Detroit Shoreway Community Development Organization, or its designee, to provide financial assistance in the form of a Community Development Float Loan to partially finance the renovation of the Harp Apartments located at 1389-91 West 64th Street.**

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

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

**Section 1.** That the Director of Community Development is hereby authorized to enter into a Community Development Float Loan Agreement with Detroit Shoreway Community Development Organization, or its designee, to provide financial assistance to partially finance the renovation of the Harp Apartments located at 1389-91 West 64th Street.

**Section 2.** That the term of said loan shall be in accordance with the terms as set forth in the Executive Summary contained in File No. 103-99-A.

**Section 3.** That the costs of said contract shall not exceed Five Hundred Thousand Dollars (\$500,000.00), and shall be paid from Fund No. 14 SF 810, Request No. 23119.

**Section 4.** That the Director of Community Development is hereby authorized and directed to accept the collateral as set forth in the Executive Summary contained in the file referenced in Section 2 of this ordinance in order to secure repayment of said loan. Any security instrument shall be prepared and approved by the Director of Law.

**Section 5.** That the Director of Community Development is hereby authorized to accept monies in repayment of the loan and to deposit said monies in Fund No. 14 SF 810.

**Section 6.** That the Director of Community Development is hereby authorized to charge and accept fees in an amount not to exceed the maximum allowable under federal regulations and expend such fees to cover costs incurred in the preparation of the loan application, closing, and servicing of the loan.

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

**Section 8.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council,

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

Passed March 1, 1999.  
Awaiting the approval or disapproval of the Mayor.

**Ord. No. 151-99.**  
**By Councilmen Johnson (by departmental request).**

**An emergency ordinance authorizing the City of Cleveland to implement a plan to allow City employees and elected officials to purchase additional service credit from the Public Employees Retirement System, tax-deferred by payroll deduction.**

Whereas, Internal Revenue Service ("IRS") Code Section 414(h)(2) permits employer "pick-up" of the employee contributions to a retirement plan, thereby resulting in tax deferral of such contributions; and

Whereas, pursuant to Revised Code Chapter 145, members of the Public Employee's Retirement System of Ohio ("PERS") may be

allowed to (1) redeposit contributions previously withdrawn, plus interest, and/or (2) purchase additional forms of permissive service credit; and

Whereas, the City of Cleveland has no current plan authorizing the purchase of additional service credit from PERS on a pre-tax basis; and

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

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

**Section 1.** That effective April 1, 1999, City employees and elected officials who are eligible under IRS Code Section 414(h)(2) and Revised Code Chapter 145 may purchase additional service credit tax deferred and the City shall withhold the authorized service credit deduction from the gross pay of each person who elects to purchase additional service credit and pay the deduction to PERS. A person electing this pick up deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction picked up by the City and paid to

PERS. Members who have elected to participate in this plan cannot increase, decrease or terminate the amount of the pick up deduction.

**Section 2.** That the Director of Finance is hereby authorized to take all necessary procedural and administrative action to implement the provisions of this ordinance to effect the pick up of the payroll deduction for the purchase of additional service credit to PERS, including entering into irrevocable salary reduction agreements with eligible employees and elected officials. The form of such agreement shall contain such terms and conditions as are acceptable to the Director of Law.

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

Adopted March 8, 1999.  
Effective March 17, 1999.

**Ord. No. 376-99.**

**By Councilman Johnson (by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with Laborers International Union of North America Municipal, County, State Employee's Union, Local 1099; and amending Section 41 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, and Ordinance No. 857-98, passed June 1, 1998, relating to compensation for various classifications.**

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

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

**Section 1.** That in accordance with division (B) of Section 4117.10 of the Revised Code, this Council hereby approves a collective bargaining agreement with Laborers International Union of North America Municipal, County, State Employee's Union, Local 1099, which contains the terms set forth in File No. 376-99-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

Increase	Effective Date of Increase
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

**Section 2.** That Section 41 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, and Ordinance No. 857-98, passed June 1, 1998, is hereby amended by read as follows:

**Section 41. Hourly Rate-Crafts**

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Effective Date	Minimum	Maximum
1. Asbestos Worker .....	5-1-98	\$27.42	\$34.28
2. Asphalt Construction Foreman .....	5-1-97	18.22	28.15
3. Asphalt Raker .....	5-1-97	17.47	26.99
4. Asphalt Tamper .....	5-1-97	17.47	26.99
5. Boiler Maker .....	5-1-98	28.34	35.67
	10-1-97	27.74	34.67
6. Bricklayer .....	5-1-98	24.32	30.40
7. Bricklayer Foreman .....	5-1-98	25.32	31.40
8. Bricklayer Helper .....	5-1-96	17.94	26.91
9. Carpenter .....	5-1-98	24.12	30.14
10. Carpenter Foreman .....	5-1-98	25.12	31.94
11. Carpenter Apprentice .....	5-1-92	5.97	16.43
12. Cement Finisher .....	5-1-98	24.47	30.59
13. Cement Finisher Foreman .....	5-1-98	25.47	31.59
14. Construction Equipment Operator - Group A .....	5-1-98	25.17	28.78
15. Construction Equipment Operator - Group B .....	5-1-98	25.02	28.63
16. Construction Equipment Operator - Group C .....	5-1-98	24.32	27.93

17.	Construction Equipment Operator - Group D .....	5-1-98	23.54	27.15
18.	Construction Equipment Operator - Group E .....	5-1-98	23.22	26.83
19.	Construction Equipment Operator - Oiler - Group F .....	5-1-98	17.24	20.85
20.	Curb Cutter .....	5-1-97	17.86	27.59
21.	Electrical Worker .....	5-1-98	27.54	34.42
22.	Electrical Worker Foreman .....	5-1-98	28.54	35.42
23.	Glazier .....	5-1-98	24.38	30.47
24.	Ironworker .....	5-1-98	27.50	34.38
25.	Ironworker Foreman .....	5-1-98	28.50	28.50
26.	Jackhammer Operator .....	5-1-97	17.47	26.99
27.	Master Mechanic .....	5-1-98	25.67	29.28
28.	Overhead Floodlight Maintenance Man .....	5-1-92	21.19	26.49
29.	Painter .....	5-1-98	23.55	29.44
30.	Painter - Apprentice .....	5-1-92	6.95	14.89
31.	Painter Foreman .....	5-1-98	24.55	30.44
32.	Paver .....	5-1-97	17.71	27.36
33.	Paving Foreman .....	5-1-97	18.21	28.15
34.	Pipefitter (Welder) .....	5-1-98	28.54	35.68
35.	Pipefitter Foreman .....	5-1-98	29.54	36.68
36.	Plasterer .....	5-1-98	24.02	30.03
37.	Plasterer Foreman.....	5-1-98	25.02	31.03
38.	Plumber (Welder) .....	5-1-98	28.03	35.04
39.	Plumber Foreman .....	5-1-98	29.03	36.04
40.	Roofer .....	5-1-98	24.78	30.97
41.	Sheet Metal Worker .....	5-1-98	27.07	33.84
42.	Sheet Metal Worker Foreman .....	5-1-98	28.07	34.84
43.	Sign Painter .....	5-1-94	22.55	25.61
44.	Sign Painter Unit Leader .....	5-1-94	23.55	26.61
45.	Spray Painter .....	5-1-94	20.22	23.34
46.	Superintendent of Construction Equipment .....	5-1-97	18.19	28.15

**Section 3.** That existing Section 41 of Ordinance No. 436-97, passed April 14, 1997, as amended by Ordinance No. 1474-97, passed October 13, 1997, and Ordinance No. 857-98, passed June 1, 1998, is hereby repealed.

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

Passed March 8, 1999.

Effective March 17, 1999.

**Ord. No. 377-99.**

**By Councilman Johnson (by departmental request).**

**An emergency ordinance approving the collective bargaining agreement with C.A.R.E., C.W.A. Local 4550; and amending Section 20 of Ordinance No. 436-97, passed April 14, 1997, relating to compensation for various classifications.**

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

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

**Section 1.** That in accordance with division (B) of Section 4117.10 of the Revised Code, and subject to an arbitration award, this Council hereby approves a collective bargaining agreement with C.A.R.E., C.W.A. Local 4550 which contains the terms set forth in File No. 377-99-A, for the period from April 1, 1998 through March 31, 2001, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit in accordance with the following schedule:

<b>Increase</b>	<b>Effective Date of Increase</b>
Three percent (3%)	April 1, 1998
Three and one-half percent (3.5%)	April 1, 1999
Three and one-half percent (3.5%)	April 1, 2000

**Section 2.** That Section 20 of Ordinance No. 436-97, passed April 14, 1997, is hereby amended by read as follows:

Section 20. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Emergency Medical Dispatcher (Probationary) .....	\$ 8.76 per hour	\$ 8.76 per hour
2. Emergency Medical Dispatcher .....	\$23,118.62	\$31,824.89
3. Emergency Medical Technician .....	\$24,585.27	\$34,716.47

**Section 3.** That existing Section 20 of Ordinance No. 436-97, passed April 14, 1997, is hereby repealed.

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

Passed March 8, 1999.

Effective March 17, 1999.

**Ord. No. 378-99.****By Councilman Westbrook.**

**An emergency ordinance authorizing the Clerk of Council to enter into an amendment to the agreement with Hunter Computer Services, Inc., City Contract No. 53907, for the purchase and installation of computers for members of Council to access the Legislative Tracking System.**

Whereas, pursuant to Ordinance No. 2190-98, passed by the Council of the Cleveland on December 14, 1998, the Clerk of Council entered into an agreement with Hunter Computer Services, Inc., City Contract No. 53907, to design, install and maintain a Legislative Tracking System for the Council and to provide a kiosk based system to permit public access to legislative information; and

Whereas, the Clerk desires to amend Contact No. 53907 to provide for the purchase of computer hardware and software and for the installation of computers for the members of Council in order to provide client workstations to access the Legislative Tracking System; and

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

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

**Section 1.** That the Clerk of Council is hereby authorized to enter into an amendment to the agreement with Hunter Computer Services, Inc., City Contract No. 53907, to provide for the purchase of computer hardware and software and for the installation of computers for the members of Council in order to provide client workstations to access the Legislative Tracking System. The cost of such amendment shall not exceed One Hundred Fifty Thousand Dollars (\$150,000.00) and shall be paid from Fund 10 SF 006.

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

Passed March 8, 1999.

Effective March 17, 1999.

**Ord. No. 379-99.****By Councilman Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 1999 National City Triathlon on August 15, 1999, sponsored by National City Bank.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the 1999 National City Bank Triathlon sponsored by National City Bank, on August 15, 1999, with the races being as follows; Sprint Race Cycle Course Description — From the transition area on Erieside, cyclist will turn right on E. 9th Street (southbound) and make a quick right onto the

westbound Shoreway. The course exits at West Blvd., and makes the triangle turnaround, and proceeds back on the eastbound Shoreway. Cyclists continue eastbound, exit at E. 9th Street turning left, and makes another quick left turn back onto the westbound Shoreway. The course proceeds again to West Blvd. exit, completes the triangle turnaround, and continues on the eastbound Shoreway. Cyclists exit again at E. 9th Street, turn left, and return to the transition area. Sprint Race Run Course Description — From the transition area on Erieside, runners proceed westbound on Erieside. The course continues on Erieside onto West 3rd. At West 3rd, runners turn left onto Lakeside (staying in the north curb lane of Lakeside), continue past the finish line at Mall B (running in the middle and south lanes of Lakeside after passing the finish), and turn right onto East 12th St. (keeping the center median to their right) from Lakeside. Runners will head southbound on East 12th St. to St. Clair Ave., turning right (westbound) onto St. Clair. The course proceeds westbound on St. Clair (in the middle and south lanes of St. Clair) to W. 10th. At West 10th St., the course turns right (northbound) and continues to Front Ave., turning right onto Front. From Front, runners will turn right onto West 9th St. and make a left onto Main (under the Memorial Shoreway bridge) proceeding onto Lakeside (in the south lanes of Lakeside) to finish line in front of Mall B. Olympic Distance Cycle Course — From the transition area on Erieside, cyclists will turn right onto E. 9th (in the east curb lanes of Lakeside) and proceed southbound on E. 9th Street to Lakeside, turning left onto Lakeside and staying in the north curb lanes of Lakeside. The course proceeds eastbound on Lakeside to E. 18th Street, turning right onto E. 18th to Chester. Cyclists turn left onto Chester (staying in the north curb lanes) and continue eastbound on Chester to E. 55th St. At E. 55th, the course turns left onto E. 55th (staying in the west curb lanes) to S. Marginal. Cyclists make a left turn onto S. Marginal from E. 55th and proceed on S. Marginal to the bridge just past the tennis courts. Turning right onto the bridge, cyclists complete the loop to take them onto the Memorial Shoreway westbound. From the westbound Shoreway, the course exits at West Blvd., and makes the triangle turnaround, and proceeds back on the eastbound Memorial Shoreway. Cyclists continue eastbound, exit at E. 9th Street turning left, and makes another quick left turn back onto the westbound Memorial Shoreway. The course proceeds again to West Blvd. exit, completes the triangle turnaround, and continues on the eastbound Memorial Shoreway. Cyclists exit again at E. 9th Street, turn left, and return to the transition area. Olympic Distance Run Course — from the transition area on Erieside, runners proceed westbound on Erieside. The course continues on Erieside onto West 3rd. At West 3rd, runners turn left onto Lakeside (staying on the north curb lane of Lakeside), continue past the finish line at Mall B (running in the middle and south curb lanes of Lakeside after the finish line), and turn right onto East 12th (keeping the center median to their right). Runners will head southbound on East

12th St. (in the east curb lane) to Chester Ave., turning left onto Chester Avenue. Runners proceed eastbound on Chester (keeping towards the center of the street to avoid cyclists in the north curb lanes) to approximately East 40th where a turnaround will be staged. Participants will complete the turnaround and proceed westbound on Chester (again keeping towards the center of the street) to East 12th. At East 12th, the course turns right onto East 12th St. (keeping in the middle and south lanes of St. Clair) to W. 10th. At West 10th St., the course turns right (northbound) and continues to Front Ave., turning right onto Front. From Front, runners will turn right onto West 9th St. and make a left onto Main (under the Memorial Shoreway bridge) proceeding onto Lakeside (in the south lanes of Lakeside) to the finish line in front of Mall B. Professional Cycle Course — One Lap = From the transition area on Erieside, cyclists turn right onto E. 9th and proceed southbound on E. 9th Street to Lakeside, turning right onto Lakeside. From Lakeside, the course turns left onto E. 6th, then turns right onto St. Clair (keeping on the north lanes of St. Clair). From St. Clair, cyclists turn right onto Ontario, then turn left onto Lakeside (staying in the north lanes of Lakeside). At Lakeside and W. 3rd, cyclists turn right onto W. 3rd and proceed onto Erieside, turning right onto E. 9th from Erieside. After completing their 13th lap (ending at E. 9th and Erieside) cyclists proceed southbound on E. 9th to Lakeside, turning right onto Lakeside to the #2 transition area in front of the Convention Center. Professional Run Course — One Lap = from the #2 transition on Lakeside in front of the Convention Center, runners proceed eastbound on Lakeside (in the north side curb lane of Lakeside) to E. 9th, turning left onto E. 9th (staying in the west side curb lane of E. 9th). At Erieside and E. 9th, runners turn left onto Erieside (staying in the south side curb lane of Erieside) and continue onto W. 3rd. On W. 3rd southbound, runners will proceed in the east side curb lane. From W. 3rd, runners turn left onto Lakeside (staying in the north side curb lanes) and proceed through the finish line and past the #2 transition. On their fourth lap, runners will proceed to the finish at Lakeside and Mall B. THE PROFESSIONAL CYCLE COURSE WILL BE SETUP SUCH THAT IT IS ON THE "OUTSIDE" OF THE CRITERIUM LOOP. THE PROFESSIONAL RUN COURSE WILL BE SETUP SUCH THAT IT IS ON THE "INSIDE" OF THE CRITERIUM LOOP, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force

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

Passed March 8, 1999.  
Effective March 17, 1999.

**Ord. No. 381-99.**  
**By Councilmen Cimperman, Cintron, Lewis and Gordon.**  
**An emergency ordinance consenting and approving the issuance of a permit for the 1999 Walk or Bike for the Earth Route on April 24, 1999, sponsored by the Earth Day Coalition.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio, 1976, this Council consents to and approves the holding of the Annual Earth Day 1999 Walk or Bike for the Earth Route, sponsored by the Earth Day Coalition, on April 24, 1999, step off from Southwest Quadrant of Public Square, west on Superior, cross Detroit/Superior (Veteran's Memorial) Bridge, south on West 25th, east on Jay, north on West 30th, south on Fulton Road, east on Woodbine, south west on Whitman Ave., south on West 38th, east on Bridge, south on West 38th, east on Bridge, south on West 28th, east on Market, south on West 25th, east on Seymore, south on Scranton, west on MetroHealth Blvd., south on West 25th, west on Wildlife Way to the Zoo entrance, bike to Earthfest, long route, from Public Square, east on Superior Ave., right onto E. 13th St., left onto Payne Ave., jog right at E. 55th St. onto Linwood Ave., straight at end of Linwood through park, right onto Harkness, follow onto Edmunds, left onto Ansel, right onto Wade Park, left onto MLK access road, right onto bike path, follow

bikeway to E. 9th St., cross E. 9th St. onto Erieside Dr., follow, becomes W. 3rd, right onto Summit Ave., jog right into Systems parking lot, (Short route: north on Ontario St., left onto Lakeside Ave., instructions continue with next line of long route), right onto W. 9th, left onto Front Street, follow right, becomes Old River Road, bear right at St. Clair Ave. into Settlers' Landing Park, follow walkway onto Merwin St., left onto French St., left onto Columbus Rd., bear right onto Canal Rd., left onto W. 3rd St., right on Literary Rd., left onto West 7th St., right onto Starkweather, right onto Brayton, follow onto Fruit, left onto W. 10th St., follow onto Auburn, left onto W. 11th St., follow over pedestrian overpass, follow onto Buhner, jog left at W. 14th St. to follow Buhner over pedestrian overpass, left onto W. 17th St., right onto Brainard, jog left at Scranton onto Meyer, left onto W. 32nd St., follow right onto Poe, left onto Fulton, follow straight onto Fulton Parkway, left into Zoo Upland Commons Entrance, optional return to Public Square, left onto Fulton Parkway, right onto Shadyside Ave., right onto W. 58th St., left onto Orchard Grove Ave., right onto Ridge Rd., left onto Clinton Rd., right onto West Blvd., right onto Walford, follow left onto W. 97th St., right onto Maywood, follow onto W. 88th St., right onto Silverton. Left onto W. 86th St., right on Camden, left onto W. 68th St., right onto Seine, right onto W. 65th St., left onto Stock, right onto W. 63rd St., left onto Frontier, left onto W. 58th St., left onto Clark Ave., right onto Train Ave., bear left onto Scranton, left onto Carter, follow onto Riverbed Rd., right onto Center St., left onto New River Road, right onto Superior Ave. (onto sidewalk before one-way), left from W. 9th St., onto Superior Ave., right onto Westway Rd. around Public Square and finish, provided that the applicant sponsor shall meet all the require-

ments of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police or safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed March 8, 1999.  
Effective March 17, 1999.

**COUNCIL COMMITTEE MEETINGS**

**Monday, March 15, 1999**

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

**Finance Committee: 2:00 P.M.** — Present: Johnson, Chairman; Westbrook, Vice Chairman; Coats, Gordon, Lewis, Melena, Patmon, Robinson, Sweeney, Willis. Excused: Cintron.

**Tuesday, March 16, 1999**

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

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