

# The City Record

Official Publication of the Council of the City of Cleveland



September the Twenty-Ninth, Two Thousand and Four

**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

**Valarie J. McCall**  
City Clerk, Clerk of Council

Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
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	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

The City Record is available online at  
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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th 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	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	10647 Ashbury 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.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

City Clerk, Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840  
First Assistant Clerk – Sandra Franklin

**MAYOR** – Jane L. Campbell  
Debra M. Janik, Chief of Staff  
Darnell Brown, Chief Operating Officer  
Timothy Mueller, Executive Assistant  
Craig Tame, Executive Assistant  
Galen L. Schuerlein, Executive Assistant  
\_\_\_\_\_, Director, Office of Equal Opportunity  
Margreat A. Jackson, Legislative Affairs Liaison  
Erik Janas, Inter-Governmental Affairs Officer  
Lorna Wisham, Chief Public Affairs Officer

**DEPT. OF LAW** – Subodh Chandra, Director, Teresa Beasley, Chief Counsel, Rm. 106  
Karen E. Martines, Law Librarian, Room 100

**DEPT. OF FINANCE** – Robert H. Baker, Director, Room 104;  
Frank Badalamenti, Manager, Internal Audit  
DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19  
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
City Treasury – Algeron Walker, Treasurer, Room 115  
Financial Reporting and Control – James Gentile, Controller, Room 18  
Information Technology and Services – James S. Higgins, Commissioner, 1404 East 9th Street  
Purchases and Supplies – Myrna Branche, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

**DEPT. OF PUBLIC UTILITIES** – Julius Ciaccia, Director, 1201 Lakeside Avenue  
DIVISIONS – 1201 Lakeside Avenue  
Cleveland Public Power – James F. Majer, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – John Christopher Nielson, Commissioner  
Water Pollution Control – Ollie Shaw, Commissioner

**DEPT. OF PORT CONTROL** – John C. Mok, Director  
Cleveland Hopkins International Airport, 5300 Riverside Drive  
Burke Lakefront Airport – Khalid Bahhur, Commissioner  
Cleveland Hopkins International Airport – Fred Szabo, Commissioner

**DEPT. OF PUBLIC SERVICE** – Mark Ricchiuto, Director, Room 113  
DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517  
Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards  
Streets – Randell T. Scott, Commissioner, Room 25  
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1  
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

**DEPT. OF PUBLIC HEALTH** – Matthew Carroll, Director, Mural Building, 1925 St. Clair Ave.  
DIVISIONS: Air Quality – \_\_\_\_\_, Commissioner  
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.  
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

**DEPT. OF PUBLIC SAFETY** – Sanford E. Watson, Director, Room 230  
DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue  
Police – Edward F. Lohm, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

**DEPT. OF PARKS, RECREATION & PROPERTIES** – Natalie A. Ronayne, Director  
Cleveland Convention Center, Clubroom A, 1220 East 6th Street  
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner  
Public Auditorium, East 6th Street and Lakeside Avenue  
Parking Facilities – Dennis Donahue, Commissioner  
Public Auditorium, East 6th Street and Lakeside Avenue  
Park Maintenance and Properties – Richard L. Silva, Commissioner  
Public Auditorium – East 6th Street and Lakeside Avenue  
Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard  
Recreation – Michael Cox, Commissioner, Room 8  
Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road  
Burke Lakefront Airport

**DEPT. OF COMMUNITY DEVELOPMENT** – Daryl Rush, Director, 3rd Floor, City Hall  
DIVISIONS: Administrative Services – Terrence Ross, Commissioner  
Neighborhood Services – Louise V. Jackson, Commissioner  
Neighborhood Development – Joseph A. Sidoti, Commissioner

**DEPT. OF BUILDING AND HOUSING** – James G. Williams, Director, Room 500  
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner  
Construction Permitting – Timothy R. Wolosz, Commissioner

**DEPT. OF PERSONNEL AND HUMAN RESOURCES** – Gina Routen, Director, Room 121

**DEPT. OF ECONOMIC DEVELOPMENT** – Gregory G. Huth, Director, Room 210

**DEPT. OF AGING** – Jane E. Fumich, Director, Room 122

**DEPT. OF CONSUMER AFFAIRS** – Kenya Taylor, Director

**COMMUNITY RELATIONS BOARD** – Room 11, Jeffrey D. Johnson, Director; Mayor Jane L. Campbell, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

**CIVIL SERVICE COMMISSION** – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

**SINKING FUND COMMISSION** – Jane L. Campbell, President; Council President Frank G. Jackson; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director.

**BOARD OF ZONING APPEALS** – Room 516, Carol A. Johnson, Chairman; Members; Margreat Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, \_\_\_\_\_, Secretary.

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

**BOARD OF REVISION OF ASSESSMENTS** – Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

**BOARD OF SIDEWALK APPEALS** – Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.

**BOARD OF REVIEW** – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities Director \_\_\_\_\_; Council President Frank G. Jackson.

**CITY PLANNING COMMISSION** – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

**FAIR EMPLOYMENT WAGE BOARD** – Room 210 – Gerald Meyer, Chair; Angela Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member Nelson Cintron, Ed Romero.

**HOUSING ADVISORY BOARD** – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.

**FAIR HOUSING BOARD** – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud, Doris Honsa, Richard Lenard.

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

**MORAL CLAIMS COMMISSION** – Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

**BOARD OF EXAMINERS OF ELECTRICIANS** – Samuel Montfort, Chairman; Donald Baulknight, 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, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – Paul Volpe, Chair; Ted Sande, Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

## CLEVELAND MUNICIPAL COURT JUSTICE CENTER – 1200 ONTARIO STREET JUDGE COURTROOM ASSIGNMENTS

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary Eileen Kilbane	14C
Judge Anita Laster Mays	12C
Judge Lauren C. Moore	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	12A
Judge Robert J. Trozzi	14A
Judge Joseph J. Zone	13C

Earle B. Turner – Clerk of Courts, Michael E. Flanagan – Court Administrator, Paul J. Mizerak – Bailiff; Regina Daniel – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 91

WEDNESDAY, SEPTEMBER 29, 2004

No. 4738

## CITY COUNCIL

MONDAY, SEPTEMBER 27, 2004

### The City Record

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Address all communications to

**VALARIE J. McCALL**

City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

#### MONDAY

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chairman; White, Vice Chairman; Cimperman, Dolan, Jones, Rybka, Sweeney.

#### MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

#### MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Pierce Scott, Westbrook, White.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Pierce Scott, Zone.

#### TUESDAY—Alternating

1:00 P.M. — **Health & Human Services Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Pierce Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Pierce Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

#### WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.  
10:00 A.M. — **Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

#### WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M. — **City Planning Committee:** Cimperman, Chairman; Rybka, Vice Chairman; Conwell, Lewis, O'Malley, Pierce Scott, Westbrook.

The following Committees are subject to the Call of the Chairman:

**Rules Committee:** Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

**Personnel and Operations Committee:** Gordon, Chairman; Britt, Cimperman, Coats, Pierce Scott.

**Mayor's Appointment Committee:** Coats, Chairman; Cintron, Reed, Pierce Scott, Westbrook.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 27, 2004

The meeting of the Council was called to order, The President, Frank G. Jackson, in the Chair.

Council Members present: Brady, Cintron, Coats, Conwell, Dolan, Gordon, Johnson, Lewis, O'Malley, Pierce Scott, Polensek, Reed, Rybka, Sweeney, Westbrook, White and Zone.

Also present were Mayor Campbell, Chief of Staff Janik, Chief Operating Officer Brown, Directors Chandra, Baker, Ciaccia, Ricchiuto, Carroll, Watson, N. Ronayne, Rush, Huth, Fumich, Taylor, Johnson, C. Ronayne, and Margreat Jackson, Legislative Affairs Liaison.

Pursuant to Ordinance No. 2926-76, prayer was offered by Reverend Steve Jira of the Church of the Living God, 5328 East 141st Street. Pledge of Allegiance.

#### MOTION

On the motion of Council Member Pierce Scott, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Sweeney.

#### COMMUNICATIONS

##### File No. 1827-04.

From the National Black Caucus of Local Elected Officials (NBC-LEO) — Annual Summer Conference Information and Registration. Received.

##### File No. 1828-04.

From Ohio Consumers' Counsel — re: Dominion East Ohio plan. Received.

##### File No. 1829-04.

From Aon Surety re: Adelpia, its subsidiaries & affiliates — New Travelers Surety Bond (Replacing Hanover Surety Bonds). Received.

#### FROM DEPARTMENT OF LIQUOR CONTROL

##### File No. 1830-04.

Re: New Application — 01210930015 — Dawud Ali, d.b.a. People's Foods, 11505 St. Clair Avenue. (Ward 9). Received.

##### File No. 1831-04.

Re: New Application — 3693704 — Hayfa, Inc., d.b.a. Sophia Food Market, 10017 Sophia Avenue. (Ward 4). Received.

##### File No. 1832-04.

Re: New Application — 1849017 — Culvers Trucking, Inc., d.b.a. Autocare Unlimited, 4217 Rocky River Drive. (Ward 21). Received.

##### File No. 1833-04.

Re: Transfer of Ownership Application — 1312908 — Casey Jones Taver, Inc., 14026 Triskett Road. (Ward 20). Received.

##### File No. 1834-04.

Re: Transfer of Location Application — 40739630001 — Curtis Hunt, d.b.a. Right On Time Food & Beverage, 3609 Community College Avenue. (Ward 5). Received.

#### STATEMENT OF WORK ACCEPTED

##### File No. 1835-04.

From the Department of Parks, Recreation and Properties — Contract No. 61108, Artha Woods — Phase II &

Otter Park Site Improvements. Received.

**CONDOLENCE RESOLUTIONS**

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

- Res. No. 1836-04**—Delores Maggie Gibson.
- Res. No. 1837-04** — Margie Katharine Adams.
- Res. No. 1838-04**—Elizabeth Jones.
- Res. No. 1839-04**—Mary Haslow.

**CONGRATULATION RESOLUTIONS**

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

- Res. No. 1840-04**—St. Paul A.M.E. Church.
- Res. No. 1841-04** — Jeffrey M. Glebocki.

**APPRECIATION RESOLUTIONS**

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

- Res. No. 1842-04**—Rev. Michael K. Barth S.T.
- Res. No. 1843-04**—Tim Mueller.

**RECOGNITION RESOLUTIONS**

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

- Res. No. 1844-04**—Roberto Gonzalez.
- Res. No. 1845-04**—Jerome “Jae the Gospel Kid” Williams.
- Res. No. 1846-04**—Frank G. Jackson.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 1814-04.**

**By Council Members Lewis and Jackson (by departmental request).**

**An emergency ordinance to amend various sections of Ordinance No. 384-03, passed March 10, 2003, as amended, relating to compensation for various classifications.**

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

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

- Section 1.** That the following sections of Ordinance No. 384-03, passed March 10, 2003, Sections 4 and 7, as amended by Ordinance No. 1801-03, passed October 13, 2003, Section 8, as amended by Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003,
  - Sections 9, 10, 12, 13, 14, and 22, as amended by Ordinance No. 1801-03, passed October 13, 2003,
  - Section 27, as amended by Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003,
  - Section 28, as amended by Ordinance No. 1505-04, passed August 11, 2004, Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003,
  - Sections 29 and 30, as amended by Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003,
  - Sections 31 and 40, as amended by Ordinance No. 605-03, passed June 10, 2003,
  - Section 42, as amended by Ordinance No. 2096-03, passed October 27, 2003, and Ordinance No. 1801-03, passed October 13, 2003,
  - Section 46, as amended by Ordinance No. 605-03, passed June 10, 2003, and
  - Section 52,
- are amended to read as follows:

**Section 4. Employees of Council - Salary**

That the Clerk of Council, with the approval of the President of Council, shall fix the salary of the employees of Council within the limits established in the following schedule for each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Administrative Assistant.....	\$21,851.06	\$69,251.79
2. Administrative Secretary.....	<b>\$20,092.80</b>	\$69,251.79
3. Assistant Legislative Clerk .....	<b>\$20,092.80</b>	\$54,274.17
4. Chief City Archivist.....	\$21,851.06	\$73,042.72
5. Chief Legislative Secretary .....	\$21,851.06	\$73,042.72
6. Council Receptionist .....	<b>\$20,092.80</b>	\$43,825.63
7. Deputy City Archivist.....	<b>\$20,092.80</b>	\$69,251.79
8. Deputy Clerk .....	\$21,851.06	\$69,251.79
9. Director of Communications .....	\$24,974.46	\$73,042.72
10. Director of Policy Research .....	\$24,974.46	\$73,042.72
11. Executive Assistant - Administration.....	\$24,974.46	\$73,042.72
12. Executive Assistant - Councilmembers .....	<b>\$ 9.66</b>	\$ 15.09
13. Executive Assistant to the Clerk of Council.....	\$24,974.46	\$73,042.72
14. Financial Assistant.....	<b>\$20,092.80</b>	\$43,825.60
15. Financial Manager .....	\$21,851.06	\$73,042.72
16. Financial Officer.....	<b>\$20,092.80</b>	\$69,251.79
17. First Assistant Clerk.....	\$24,975.91	\$73,042.72
18. Information and Technology Administrator.....	\$21,851.06	\$69,251.79
19. Information Systems Engineer.....	\$24,974.46	\$73,042.72
20. Legislative Assistant.....	<b>\$20,092.80</b>	\$58,434.18

21.	Legislative Committee Clerk.....	<b>\$20,092.80</b>	\$58,434.18
22.	Legislative Secretary.....	<b>\$20,092.80</b>	\$58,434.18
23.	Personnel and Human Resources Assistant.....	<b>\$20,092.80</b>	\$69,251.79
24.	Personnel and Human Resources Manager.....	\$21,851.06	\$73,042.72
25.	Planning and Development Advisor.....	\$55,000.00	\$72,800.00
26.	Policy Research Analyst.....	\$21,851.06	\$69,251.79
27.	Public Relations Manager.....	\$21,851.06	\$73,042.72
28.	Sergeant-at-Arms.....	<b>\$20,092.80</b>	\$40,180.29
29.	Special Counsel.....	\$41,416.04	\$78,000.00

**Section 7.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Custodial Worker.....	\$ 9.66	\$ 13.54
2. Window Washer.....	\$ 12.54	\$ 18.37
3. Bridge Oiler.....	\$ 9.66	\$ 16.33

**Section 8.** That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accountant I.....	\$ 9.66	\$ 17.95
2. Accountant II.....	\$ 9.66	\$ 19.69
3. Accountant III.....	\$ 9.66	\$ 21.83
4. Accountant Clerk I.....	\$ 9.66	\$ 14.54
5. Accountant Clerk II.....	\$ 9.66	\$ 15.71
6. Activities Therapist.....	\$ 9.66	\$ 13.82
7. AIDS Support Services Coordinator.....	\$ 10.49	\$ 15.46
8. Air Pollution Control Engineer I.....	\$ 9.66	\$ 23.08
9. Air Pollution Control Engineer II.....	\$ 9.66	\$ 24.33
10. Air Pollution Control Engineer III.....	\$ 9.66	\$ 25.63
11. Air Pollution Engineer.....	\$ 12.04	\$ 18.02
12. Air Pollution Inspector I.....	\$ 12.12	\$ 18.57
13. Air Pollution Inspector II.....	\$ 9.66	\$ 20.71
14. Air Pollution Technician I.....	\$ 9.66	\$ 19.69
15. Air Pollution Technician II.....	\$ 9.66	\$ 20.71
16. Air Pollution Technician III.....	\$ 9.66	\$ 23.08
17. Airport Information Representative.....	\$ 10.02	\$ 15.08
18. Airport Operations Agent I.....	\$ 14.14	\$ 18.65
19. Airport Operations Agent II.....	\$ 17.77	\$ 21.95
20. Airport Safety Man.....	\$ 14.19	\$ 19.07
21. Architect.....	\$ 9.73	\$ 27.14
22. Associate Engineer.....	\$ 17.83	\$ 25.39
23. Assistant Buyer.....	\$ 9.66	\$ 18.83
24. Assistant City Planner.....	\$ 9.66	\$ 19.69
25. Assistant Civil Engineer.....	\$ 9.66	\$ 19.69
26. Assistant Electrical Engineer.....	\$ 9.66	\$ 19.69
27. Assistant Mechanical Engineer.....	\$ 9.66	\$ 19.69
28. Assistant Plan Examiner.....	\$ 13.42	\$ 20.71
29. Associate Programmer.....	\$ 9.66	\$ 21.10
30. Bacteriologist.....	\$ 9.66	\$ 21.82
31. Bill Collector.....	\$ 10.02	\$ 15.08
32. Billing Clerk.....	\$ 9.89	\$ 15.07
33. Building Inspector.....	\$ 14.26	\$ 20.02
34. Camera Room Operator.....	\$ 9.66	\$ 17.14
35. Caseworker I.....	\$ 9.66	\$ 16.37
36. Caseworker II.....	\$ 9.66	\$ 17.95
37. Cashier/Starter.....	\$ 9.66	\$ 17.95
38. Chemist.....	\$ 9.66	\$ 23.85
39. Chief Miscellaneous Investigator.....	\$ 9.66	\$ 20.71
40. Citizens Information Representative.....	\$ 9.66	\$ 17.14
41. Civil Engineer.....	\$ 9.66	\$ 27.14
42. Claims Examiner.....	\$ 9.66	\$ 20.71
43. Clerk Typist.....	\$ 9.66	\$ 11.24

44.	Clinical Laboratory Assistant.....	\$ 9.66	\$ 17.14
45.	Clinical Laboratory Technician I.....	\$ 9.66	\$ 19.69
46.	Clinical Laboratory Technician II.....	\$ 9.66	\$ 21.10
47.	Cocaine Treatment Counselor I.....	\$ 9.66	\$ 16.30
48.	Cocaine Intake Specialist.....	\$ 9.95	\$ 14.67
49.	Community Development Code Enforcement Inspector I.....	\$ 14.08	\$ 21.84
50.	Community Development Code Enforcement Inspector II.....	\$ 14.89	\$ 23.08
51.	Community Development Code Enforcement Inspector III.....	\$ 15.70	\$ 24.33
52.	Community Development Code Enforcement Inspector/Heating I.....	\$ 14.08	\$ 21.84
53.	Community Development Code Enforcement Inspection/Heating II.....	\$ 14.89	\$ 23.08
54.	Community Development Code Enforcement Inspection/Heating III.....	\$ 15.70	\$ 24.33
55.	Community Development Code Enforcement Inspector/Refrigeration I.....	\$ 14.05	\$ 21.84
56.	Community Development Code Enforcement Inspector/Refrigeration II.....	\$ 14.89	\$ 23.08
57.	Community Development Code Enforcement Inspector/Refrigeration III.....	\$ 15.70	\$ 24.33
58.	Community Development Code Enforcement Inspector/Trainee.....	\$ 9.97	\$ 17.62
59.	Community Development Planner.....	\$ 9.87	\$ 26.11
60.	Community Health Aide.....	\$ 9.66	\$ 14.53
61.	Community Relations Representative I.....	\$ 9.66	\$ 17.14
62.	Community Relations Representative II.....	\$ 9.66	\$ 20.71
63.	Community Relations Representative III.....	\$ 9.66	\$ 25.63
64.	Composing Equipment Operator.....	\$ 9.66	\$ 18.83
65.	Computer Monitor Assistant.....	\$ 9.66	\$ 12.45
66.	Computer Operator.....	\$ 9.66	\$ 20.71
67.	Construction Technician.....	\$ 12.02	\$ 20.71
68.	Consumer Protection Specialist.....	\$ 9.66	\$ 16.37
69.	Contract and Monitoring Specialist.....	\$ 9.66	\$ 21.91
70.	Cook.....	\$ 11.38	\$ 14.18
71.	Copy Center Operator.....	\$ 9.66	\$ 16.64
72.	Cost Construction Estimator.....	\$ 9.66	\$ 20.16
73.	Customer Service Representative.....	\$ 10.03	\$ 15.70
74.	Data Control Clerk.....	\$ 9.66	\$ 15.09
75.	Data Conversion Operator.....	\$ 9.92	\$ 13.67
76.	Dental Assistant.....	\$ 9.66	\$ 14.25
77.	Development Officer.....	\$ 9.66	\$ 24.32
78.	Dietician.....	\$ 9.66	\$ 17.94
79.	Drug and Alcohol Counselor.....	\$ 9.66	\$ 13.34
80.	Electrical Engineer.....	\$ 9.66	\$ 27.14
81.	Electronic Engineer.....	\$ 9.66	\$ 27.63
82.	Elevator Inspector.....	\$ 14.23	\$ 21.84
83.	Engineer.....	\$ 22.78	\$ 30.90
84.	Environmental Compliance Specialist I.....	\$ 14.95	\$ 20.63
85.	Environmental Compliance Specialist II.....	\$ 16.35	\$ 21.61
86.	Environmental Compliance Specialist III.....	\$ 17.90	\$ 27.81
87.	Environmental Enforcement Specialist I.....	\$ 14.95	\$ 21.48
88.	Environmental Enforcement Specialist II.....	\$ 16.35	\$ 22.51
89.	Environmental Enforcement Specialist III.....	\$ 17.90	\$ 23.59
90.	Environmental Monitoring Specialist I.....	\$ 13.33	\$ 21.29
91.	Environmental Monitoring Specialist II.....	\$ 14.18	\$ 22.29
92.	Environmental Monitoring Specialist III.....	\$ 15.74	\$ 23.36
93.	Environmental Technician.....	\$ 12.35	\$ 18.56
94.	Family Planning Clerk.....	\$ 9.66	\$ 12.57
95.	Financial Analyst.....	\$ 9.66	\$ 19.69
96.	Financial Counselor.....	\$ 9.66	\$ 20.71
97.	First Press Operator.....	\$ 12.00	\$ 19.76
98.	Fuel System Technician.....	\$ 9.66	\$ 18.30
99.	General Health Aide.....	\$ 9.66	\$ 14.54

100.	General Storekeeper.....	\$ 9.66	\$ 21.83
101.	Geriatric Outreach Worker .....	\$ 9.66	\$ 19.69
102.	Head Cook .....	\$ 9.66	\$ 15.68
103.	Head Storekeeper.....	\$ 9.66	\$ 19.70
104.	Health Educator I.....	\$ 9.66	\$ 17.95
105.	Health Educator II.....	\$ 9.66	\$ 19.69
106.	Heating Inspector.....	\$ 14.23	\$ 20.02
107.	HIV Educator.....	\$ 9.66	\$ 11.46
108.	House Connection Inspector .....	\$ 12.70	\$ 16.74
109.	Housing Inspector.....	\$ 14.60	\$ 17.82
110.	Human Resources Contract Specialist.....	\$ 9.73	\$ 27.13
111.	Human Resources On-the-Job Training Specialist.....	\$ 10.21	\$ 23.07
112.	Human Resources Planner.....	\$ 10.74	\$ 28.66
113.	Human Resources Special Projects Coordinator.....	\$ 10.21	\$ 23.07
114.	Income Tax Tracer.....	\$ 10.04	\$ 15.87
115.	Industrial Hygiene Engineer.....	\$ 9.73	\$ 27.13
116.	Industrial Nuisance Inspector.....	\$ 9.66	\$ 17.95
117.	Information Control Analyst.....	\$ 9.66	\$ 18.79
118.	Inspector of Weight and Measures .....	\$ 9.66	\$ 16.37
119.	Instrumentation Technician I.....	\$ 16.87	\$ 19.28
120.	Instrumentation Technician II.....	\$ 18.83	\$ 21.24
121.	Instrument Repairman.....	\$ 9.66	\$ 18.98
122.	Intake Specialist.....	\$ 9.66	\$ 14.54
123.	Job Retraining Assistant.....	\$ 9.66	\$ 19.69
124.	Junior Cashier.....	\$ 9.66	\$ 15.08
125.	Junior Chemist.....	\$ 9.66	\$ 15.71
126.	Junior City Planner.....	\$ 9.66	\$ 17.95
127.	Junior Civil Engineer.....	\$ 9.66	\$ 17.95
128.	Junior Clerk.....	\$ 9.89	\$ 12.57
129.	Junior Draftsman.....	\$ 9.66	\$ 15.41
130.	Junior Engineering Aide.....	\$ 9.66	\$ 15.71
131.	Lab Coordinator.....	\$ 16.82	\$ 23.88
132.	Laboratory Assistant.....	\$ 9.66	\$ 17.14
133.	Laboratory Helper.....	\$ 9.66	\$ 13.54
134.	Landscape Architect.....	\$ 9.66	\$ 25.63
135.	Lead Pressman.....	\$ 9.66	\$ 19.97
136.	Life Guard.....	\$ 9.66	\$ 14.35
137.	Life Guard Captain.....	\$ 10.00	\$ 17.78
138.	Mechanical Engineer.....	\$ 9.66	\$ 27.13
139.	Messenger.....	\$ 9.66	\$ 13.54
140.	Meter Reader.....	\$ 12.82	\$ 17.12
141.	Minority Business Consultant.....	\$ 11.15	\$ 30.20
142.	Miscellaneous Investigator.....	\$ 9.66	\$ 16.54
143.	Monitoring, Auditing and Evaluation Coordinator.....	\$ 13.65	\$ 19.99
144.	Office Machine Operator.....	\$ 9.89	\$ 13.18
145.	On The Job Training Specialist.....	\$ 12.71	\$ 19.31
146.	Park and Recreation Planner.....	\$ 9.66	\$ 25.63
147.	Parking Attendant.....	\$ 9.66	\$ 14.54
148.	Parking Meter Collector.....	\$ 9.66	\$ 14.51
149.	Parking Meter Serviceman.....	\$ 13.62	\$ 15.27
150.	Permit Processing Specialist.....	\$ 9.66	\$ 12.18
151.	Pharmacist.....	\$ 10.74	\$ 28.65
152.	Pharmacodependent Rehabilitation Counselor I.....	\$ 9.66	\$ 13.90
153.	Pharmacodependent Rehabilitation Counselor II.....	\$ 9.66	\$ 16.42
154.	Photographer.....	\$ 9.66	\$ 19.69
155.	Photographic Laboratory Technician.....	\$ 9.66	\$ 17.14
156.	Photo-Litho Operator.....	\$ 9.66	\$ 15.71
157.	Physical Director.....	\$ 9.66	\$ 17.71
158.	Plan Examiner.....	\$ 9.66	\$ 23.42
159.	Play Director.....	\$ 9.66	\$ 12.41
160.	Police Data Specialist.....	\$ 9.92	\$ 13.67
161.	Police Radio Technician.....	\$ 16.38	\$ 18.66
162.	Pressman.....	\$ 9.66	\$ 19.32
163.	Preventive Health Counselor.....	\$ 13.59	\$ 20.03
164.	Preventive Health Educator.....	\$ 9.66	\$ 13.46

165.	Principal Cashier .....	\$ 9.66	\$ 21.10
166.	Principal Clerk .....	\$ 11.93	\$ 17.85
167.	Print Shop Helper.....	\$ 10.61	\$ 13.30
168.	Private Secretary .....	\$ 9.66	\$ 18.83
169.	Program Analyst.....	\$ 16.64	\$ 27.30
170.	Programmer.....	\$ 9.66	\$ 24.33
171.	Programmer Analyst.....	\$ 9.73	\$ 27.30
172.	Property Clerk .....	\$ 11.37	\$ 30.22
173.	Psychiatric Social Worker.....	\$ 12.48	\$ 19.64
174.	Psychologist I .....	\$ 10.74	\$ 26.12
175.	Psychologist II.....	\$ 12.88	\$ 30.79
176.	Public Health Nursing Aide .....	\$ 10.63	\$ 12.55
177.	Public Health Sanitarian I .....	\$ 12.78	\$ 19.44
178.	Public Health Sanitarian II.....	\$ 14.35	\$ 20.96
179.	Public Health Sanitarian III.....	\$ 15.49	\$ 21.78
180.	Public Health Sanitarian IV .....	\$ 9.66	\$ 26.50
181.	Public Information Officer.....	\$ 9.66	\$ 20.71
182.	Quality Assurance Analyst .....	\$ 9.66	\$ 24.32
183.	Quality Control Coordinator .....	\$ 16.82	\$ 23.89
184.	Radio Dispatcher.....	\$ 17.33	\$ 18.66
185.	Radio Technician.....	\$ 16.38	\$ 18.66
186.	Receptionist.....	\$ 9.66	\$ 13.86
187.	Records Manager .....	\$ 9.84	\$ 14.53
188.	Recreation Aide .....	\$ 9.66	\$ 9.69
189.	Recreation Instructor .....	\$ 9.66	\$ 14.54
190.	Recreation Instructor I.....	\$ 9.66	\$ 15.49
191.	Recreation Instructor II.....	\$ 9.66	\$ 16.09
192.	Recreation Instructor III.....	\$ 9.66	\$ 17.02
193.	Recreation Program Supervisor .....	\$ 9.66	\$ 15.82
194.	Redevelopment Advisor .....	\$ 9.66	\$ 21.83
195.	Redevelopment Coordinator .....	\$ 9.66	\$ 24.33
196.	Refrigeration Inspector .....	\$ 14.26	\$ 20.02
197.	Refugee Outreach Worker.....	\$ 9.66	\$ 13.53
198.	Registered Animal Health Technician.....	\$ 9.66	\$ 14.54
199.	Rehabilitation Advisor .....	\$ 9.66	\$ 18.83
200.	Rehabilitation Inspector.....	\$ 14.60	\$ 24.33
201.	Sanitarian Aide.....	\$ 11.62	\$ 14.11
202.	Second Press Operator .....	\$ 10.00	\$ 17.68
203.	Secretary.....	\$ 9.66	\$ 15.71
204.	Secretary to Director of Consumer Affairs .....	\$ 9.66	\$ 25.63
205.	Senior Assistant Architect.....	\$ 9.66	\$ 21.83
206.	Senior Assistant City Planner .....	\$ 9.66	\$ 21.83
207.	Senior Assistant Civil Engineer .....	\$ 9.66	\$ 21.83
208.	Senior Assistant Electrical Engineer.....	\$ 9.66	\$ 21.83
209.	Senior Assistant Mechanical Engineer.....	\$ 9.66	\$ 21.83
210.	Senior Assistant Traffic Engineer.....	\$ 9.66	\$ 21.83
211.	Senior Bacteriologist.....	\$ 9.66	\$ 18.83
212.	Senior Cashier .....	\$ 9.66	\$ 17.95
213.	Senior Chemist .....	\$ 9.66	\$ 20.71
214.	Senior Clerk .....	\$ 10.29	\$ 14.74
215.	Senior Computer Operator .....	\$ 9.66	\$ 24.33
216.	Senior Contract and Monitoring Specialist.....	\$ 11.34	\$ 25.79
217.	Senior Data Conversion Operator.....	\$ 10.80	\$ 16.38
218.	Senior Development Officer .....	\$ 12.63	\$ 31.91
219.	Senior Draftsman .....	\$ 9.65	\$ 17.61
220.	Senior Engineering Draftsman and Photographer.....	\$ 9.66	\$ 19.69
221.	Senior Information Control Analyst .....	\$ 9.66	\$ 20.71
222.	Senior Laboratory Technician.....	\$ 10.86	\$ 16.02
223.	Senior Landscape Architect .....	\$ 9.73	\$ 27.13
224.	Senior Site Inspector - Demolition .....	\$ 9.66	\$ 23.07
225.	Sewer Service Man.....	\$ 14.99	\$ 17.12
226.	Site Inspector.....	\$ 9.66	\$ 20.71
227.	Social Worker for Homeless .....	\$ 13.82	\$ 20.37



228.	Starter (Golf) .....	\$ 9.66	\$ 12.04
229.	S.T.D. Clerk.....	\$ 9.66	\$ 11.63
230.	Stenographer I.....	\$ 9.77	\$ 13.21
231.	Stenographer II.....	\$ 10.77	\$ 14.74
232.	Stenographer III.....	\$ 9.66	\$ 16.37
233.	Stock Clerk.....	\$ 9.66	\$ 16.19
234.	Storekeeper.....	\$ 9.66	\$ 18.44
235.	Street Obstruction Inspector.....	\$ 9.66	\$ 17.14
236.	Surveyor.....	\$ 9.66	\$ 24.33
237.	Tax Auditor I.....	\$ 10.60	\$ 16.66
238.	Tax Auditor II.....	\$ 12.41	\$ 18.42
239.	Technical Specialist.....	\$ 9.66	\$ 20.71
240.	Technical Specifications Writer.....	\$ 9.66	\$ 21.84
241.	Telephone Operator.....	\$ 9.66	\$ 15.08
242.	Telephone Supervisor.....	\$ 9.66	\$ 15.71
243.	Timekeeper.....	\$ 9.66	\$ 15.71
244.	Traffic Engineer.....	\$ 9.66	\$ 25.63
245.	Traffic Sign and Marking Technician.....	\$ 13.68	\$ 15.71
246.	Typist.....	\$ 9.92	\$ 13.68
247.	Urban Planning and Development Technician.....	\$ 9.66	\$ 13.68
248.	Utility Adjuster.....	\$ 10.64	\$ 14.74
249.	Vector Control Assistant.....	\$ 9.66	\$ 13.11
250.	Veteran's Counselor.....	\$ 9.66	\$ 17.83
251.	Water Hydraulic Repairman.....	\$ 14.99	\$ 17.12
252.	Water Meter Repairman.....	\$ 14.99	\$ 17.12
253.	Water Pipe Repairman.....	\$ 13.58	\$ 17.12
254.	Water Serviceman.....	\$ 9.66	\$ 14.62
255.	Water System Construction Inspector.....	\$ 15.67	\$ 21.39

**Section 9.** That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1.	Guard.....	\$ 15.45
2.	Correctional Officer.....	\$ 15.45
3.	Institutional Guard.....	\$ 15.45

**Section 10.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1.	Bilingual Communication Specialist.....	\$ 34,512.20
2.	Police Radio Dispatcher.....	\$ 37,787.92
3.	Police Safety Aide.....	\$ 26,902.62
4.	Safety Telephone Operator.....	\$ 29,218.77

**Section 12.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1.	Building Stationary Engineer.....	\$ 17.98
2.	Chief Building Stationary Engineer.....	\$ 19.23
3.	Chief Stationary Engineer.....	\$ 20.43
4.	Stationary Boiler Room Operator.....	\$ 18.65
5.	Water Plant Operator I.....	\$ 19.69
6.	Water Plant Operator II.....	\$ 21.09

**Section 18.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1.	Bridge Attendant.....	\$ 14.38
2.	Electric Bridge Operator.....	\$ 17.36

**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. Assistant Chief Plumbing Inspector .....	\$31,747.58	\$ 45,442.08
2. Assistant Plumbing Inspector.....	<b>\$20,092.80</b>	\$ 37,301.04
3. Community Development Code Enforcement		
Inspector/Plumbing I.....	\$ 14.83	\$ 21.84
4. Community Development Code		
Enforcement Inspector/Plumbing II .....	\$ 15.66	\$ 23.08
5. Community Development Code Enforcement		
Inspector/Plumbing III.....	\$ 16.49	\$ 24.32
6. Plumbing Inspector.....	\$30,094.45	\$ 43,075.91

**Section 22.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Nurse II .....	<b>\$20,092.80</b>	\$ 44,901.68
2. Public Health Nurse .....	<b>\$20,092.80</b>	\$ 44,901.68
3. Public Health Nurse I.....	\$23,146.64	\$ 43,718.64
4. Public Health Nurse II.....	\$35,887.06	\$ 42,222.94
5. Public Health Nurse III.....	\$39,098.75	\$ 46,599.60
6. Public Health Nurse IV .....	\$28,151.33	\$ 50,854.66
7. Public Health Nurse V .....	\$30,653.67	\$ 55,907.66
8. Public Health Nurse VI .....	\$35,658.35	\$ 64,619.87
9. Supervising Public Health Nurse .....	\$23,647.11	\$ 49,007.97

**Section 27.** That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Budget Analyst.....	<b>\$20,092.80</b>	\$ 48,027.87
2. Buyer .....	<b>\$20,092.80</b>	\$ 43,909.55
3. Civil Service Examiner I.....	<b>\$20,092.80</b>	\$ 36,813.77
4. Civil Service Examiner II.....	<b>\$20,092.80</b>	\$ 39,592.43
5. Civil Service Examiner III.....	<b>\$20,092.80</b>	\$ 45,446.40
6. Civil Service Examiner IV.....	\$23,606.98	\$ 56,401.29
7. Court Stenographer .....	<b>\$20,092.80</b>	\$ 36,888.49
8. Docket Clerk.....	<b>\$20,092.80</b>	\$ 32,909.27
9. Junior Personnel Assistant.....	<b>\$20,092.80</b>	\$ 35,666.32
10. Law Librarian.....	<b>\$20,092.80</b>	\$ 35,563.14
11. Legal Secretary.....	<b>\$20,092.80</b>	\$ 41,600.00
12. Misdemeanor Investigator .....	<b>\$20,092.80</b>	\$ 43,069.31
13. Office Manager .....	<b>\$20,092.80</b>	\$ 35,285.27
14. Parking Enforcement Analyst.....	<b>\$20,092.80</b>	\$ 40,374.78
15. Paralegal.....	<b>\$20,092.80</b>	\$ 39,592.55
16. Personnel Assistant.....	<b>\$20,092.80</b>	\$ 40,978.30
17. Private Secretary to Director.....	<b>\$20,092.80</b>	\$ 43,079.73
18. Senior Personnel Assistant .....	<b>\$20,092.80</b>	\$ 45,446.40
19. Tape Librarian.....	<b>\$20,092.80</b>	\$ 37,785.73

**Section 28.** That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Administrative Officer .....	<b>\$20,092.80</b>	\$ 48,000.35
2. Cable Protection Specialist .....	<b>\$20,092.80</b>	\$ 34,916.09
3. Case Worker Supervisor.....	<b>\$20,092.80</b>	\$ 40,978.30
4. Chief Air Pollution Inspector .....	<b>\$20,092.80</b>	\$ 46,377.15
5. Chief Caseworker Supervisor.....	\$22,426.64	\$ 41,623.16
6. Chief Clerk.....	\$22,050.00	\$ 43,079.97
7. Chief Photographer.....	<b>\$20,092.80</b>	\$ 46,377.15

8.	Reserved * moved to Section 14a on 8-11-04.....		
9.	Chief Telephone Operator.....	<b>\$20,092.80</b>	\$ 45,337.31
10.	Cocaine Treatment Supervisor.....	\$22,426.64	\$ 43,079.97
11.	Composing Supervisor.....	<b>\$20,092.80</b>	\$ 39,592.55
12.	Consumer Protection Supervisor.....	<b>\$20,092.80</b>	\$ 41,623.16
13.	Custodial Worker Supervisor.....	<b>\$20,092.80</b>	\$ 38,287.94
14.	Disease Surveillance Specialist.....	\$30,000.00	\$60,000.00
15.	Epidemiologist.....	\$40,000.00	\$75,000.00
16.	Personnel Analyst I.....	\$21,000.00	\$42,815.94
17.	Safety Programs Officer I.....	\$25,000.00	\$60,000.00
18.	Safety Programs Officer II.....	\$25,000.00	\$42,000.00
19.	Secretary to Board of Examiner of Board of Review (Electrical).....	<b>\$20,092.80</b>	\$36,043.06
20.	Secretary - Boxing and Wrestling Commission.....	\$30,573.46	\$32,909.27
21.	Superintendent of Maintenance.....	\$23,606.98	\$51,844.45
22.	Superintendent of Street Cleaning.....	\$25,967.68	\$42,294.71
23.	Superintendent of Waste Collection.....	\$29,508.73	\$51,844.45
24.	Supervisor of Income Tax Files.....	<b>\$20,092.80</b>	\$36,043.06
25.	Supervisor of Storeroom and Mailing.....	<b>\$20,092.80</b>	\$32,909.27

**Section 29.** That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Airport Maintenance Supervisor.....	\$21,019.66	\$ 48,000.55
2. Assistant Chief Building Inspector.....	<b>\$20,092.80</b>	\$ 53,217.22
3. Assistant Chief Housing Inspector.....	<b>\$20,092.80</b>	\$ 46,375.87
4. Assistant Custodian.....	<b>\$20,092.80</b>	\$ 43,908.22
5. Assistant Superintendent of Electrical Generation.....	\$21,019.66	\$ 51,392.31
6. Bridge Inspector.....	<b>\$20,092.80</b>	\$ 37,785.85
7. Bureau Manager - Housing.....	\$26,797.11	\$ 74,429.85
8. Bureau Manager - Demolition.....	\$26,797.11	\$ 74,429.85
9. Bureau Manager - Building.....	\$26,797.11	\$ 74,429.85
10. Cable Production Manager.....	\$20,410.00	\$ 84,320.09
11. Chief Bridge Operator.....	<b>\$20,092.80</b>	\$ 45,445.01
12. Chief of Electric Meter Bureau.....	\$26,274.57	\$ 64,152.29
13. Chief Guard.....	<b>\$20,092.80</b>	\$ 37,578.00
14. Chief Safety Signal System.....	\$ 18.60	\$ 33.34
15. Chief Sidewalk Inspector.....	<b>\$20,092.80</b>	\$ 41,626.61
16. Chief Street Permit Inspector.....	<b>\$20,092.80</b>	\$ 39,592.55
17. Chief of Traffic Signal Unit.....	\$ 18.60	\$ 33.34
18. Community Development Code Enforcement Inspector Supervisor.....	\$34,464.91	\$ 51,515.32
19. Coordinator of Parking Enforcement.....	<b>\$20,092.80</b>	\$ 47,438.90
20. Correctional Supervisor.....	<b>\$20,092.80</b>	\$ 46,377.15
21. District Forester.....	\$31,043.38	\$ 52,860.45
22. Electric Bridge Operator Leader.....	<b>\$ 9.66</b>	\$ 17.52
23. Environmental Assistant.....	<b>\$20,092.80</b>	\$ 46,377.15
24. Field Operations Forester.....	\$32,445.00	\$ 54,857.18
25. General Superintendent of Waste Collection.....	\$30,473.96	\$ 57,774.00
26. House Sergeant.....	<b>\$20,092.80</b>	\$ 33,195.83
27. Instrumentation Supervisor.....	\$29,200.50	\$ 60,840.00
28. Parking Meter Foreman.....	\$24,679.38	\$ 37,354.24
29. Printing Foreman.....	\$28,404.92	\$ 47,197.05
30. Supervisor of Landscape Construction.....	<b>\$20,092.80</b>	\$ 42,294.71
31. Supervisor of Parking Enforcement Unit.....	<b>\$20,092.80</b>	\$ 36,844.64
32. Supervisor of Markets.....	<b>\$20,092.80</b>	\$ 40,978.30
33. Supervisor of Weights and Measures.....	<b>\$20,092.80</b>	\$ 39,592.55
34. Survey Party Chief.....	<b>\$20,092.80</b>	\$ 51,030.05
35. Tunnel Maintenance Foreman.....	<b>\$20,092.80</b>	\$ 34,603.01
36. Tunnel Maintenance Man.....	<b>\$20,092.80</b>	\$ 31,593.60

**Section 30.** That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Accountant IV .....	<b>\$20,092.80</b>	\$ 53,834.24
2. Airport Operations Agent III.....	<b>\$20,092.80</b>	\$ 50,543.24
3. Assistant Bureau Chief-Demolition .....	<b>\$20,092.80</b>	\$ 48,834.05
4. Assistant Financial Systems Coordinator.....	<b>\$20,092.80</b>	\$ 48,834.05
5. Assistant Personnel Administrator .....	<b>\$20,092.80</b>	\$ 50,543.24
6. Assistant Water Plant Manager.....	<b>\$ 9.66</b>	\$ 30.00
7. Assistant Water Plant Manager - Parma .....	<b>\$ 9.66</b>	\$ 30.00
8. Budget and Management Analyst.....	<b>\$20,092.80</b>	\$ 50,543.24
9. Chief Dog Warden.....	<b>\$20,092.80</b>	\$ 74,360.00
10. Labor Relations Assistant.....	<b>\$20,092.80</b>	\$ 48,834.05
11. Rehabilitation Supervisor .....	<b>\$20,092.80</b>	\$ 48,834.05
12. Superintendent of Sewer Maintenance.....	<b>\$20,092.80</b>	\$ 67,600.00
13. Supervisor of Architectural Construction .....	<b>\$20,092.80</b>	\$ 50,563.90
14. Supervisor of Personnel Records.....	<b>\$20,092.80</b>	\$ 48,834.05
15. Supervisor of Site Development.....	<b>\$20,092.80</b>	\$ 48,834.05
16. Supervisor of Vital Statistics.....	<b>\$20,092.80</b>	\$ 50,543.24
17. Systems Analyst.....	<b>\$20,092.80</b>	\$ 56,000.00
18. Water System Construction Inspector Supervisor.....	<b>\$20,092.80</b>	\$ 56,680.00

**Section 31.** That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Airport Maintenance Superintendent.....	<b>\$20,092.80</b>	\$ 57,200.00
2. Assistant Commissioner of Recreation.....	<b>\$20,092.80</b>	\$ 65,005.39
3. Assistant Contract Compliance Officer .....	<b>\$20,092.80</b>	\$ 51,504.26
4. Assistant Director of Public Health Nurses .....	<b>\$20,092.80</b>	\$ 51,504.26
5. Assistant Income Tax .....	<b>\$20,092.80</b>	\$ 51,504.26
6. Assistant Manager of Audit Control and Personnel.....	<b>\$20,092.80</b>	\$ 53,306.92
7. Assistant Manager of Recreation.....	<b>\$20,092.80</b>	\$ 51,504.26
8. Assistant Superintendent of Pumping .....	<b>\$20,092.80</b>	\$ 51,504.26
9. Assistant Superintendent of Purification .....	<b>\$20,092.80</b>	\$ 51,504.26
10. Auditor .....	<b>\$20,092.80</b>	\$ 53,306.92
11. Chief Alcoholism Coordinating Service.....	<b>\$20,092.80</b>	\$ 51,504.26
12. Chief of the Demolition Bureau .....	<b>\$20,092.80</b>	\$ 51,504.26
13. Chief Plan Examiner .....	<b>\$20,092.80</b>	\$ 53,306.92
14. City Planner.....	\$30,000.00	\$ 55,000.00
15. Deputy Commissioner of Recreation-Fiscal Control .....	<b>\$20,092.80</b>	\$ 65,005.39
16. Deputy Project Director .....	<b>\$20,092.80</b>	\$ 56,929.60
17. Desktop Publishing Specialist .....	\$20,231.40	\$ 52,651.21
18. District Supervisor - Environmental Health .....	<b>\$20,092.80</b>	\$ 55,000.00
19. Emergency Medical Technician Supervisor.....	<b>\$20,092.80</b>	\$ 53,306.92
20. Income Tax Supervisor.....	<b>\$20,092.80</b>	\$ 51,504.26
21. Office of Professional Standards - Investigative Auditor .....	<b>\$20,092.80</b>	\$ 51,504.26
22. Office of Professional Standards - Standards Research/Analyst.....	<b>\$20,092.80</b>	\$ 51,504.26
23. Project Program Director of Consumer Affairs .....	<b>\$20,092.80</b>	\$ 51,504.26
24. Recreation Center Manager .....	\$32,500.00	\$ 65,005.39
25. Superintendent of Light Equipment Maintenance .....	<b>\$20,092.80</b>	\$ 51,504.26
26. Superintendent of Vehicle Administrative Services.....	<b>\$20,092.80</b>	\$ 64,150.91
27. Supervisor Administrative Services-Data Processing Center.....	<b>\$20,092.80</b>	\$ 51,504.26
28. Supervisor of Milk Program.....	<b>\$20,092.80</b>	\$ 51,504.26
29. Supervisor of Vector Control.....	<b>\$20,092.80</b>	\$ 51,504.26
30. Welfare Liaison.....	<b>\$20,092.80</b>	\$ 51,504.26

**Section 40.** That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Application Delivery Services Manager.....	\$65,000.00	\$ 88,400.00
2. Customer Support Center Manager.....	\$65,000.00	\$ 88,400.00
3. Database Administrator.....	\$39,937.34	\$ 99,469.60
4. Database Coordinator.....	\$30,214.00	\$ 73,493.68
5. Help Desk Analyst.....	\$25,000.00	\$ 46,800.00
6. Information Technology Electronic Data Processing Auditor.....	\$35,000.00	\$ 72,800.00
7. Information Technology Security Officer.....	\$30,215.00	\$ 73,206.64
8. IT Asset Management Analyst.....	\$25,000.00	\$ 46,800.00
9. IT Asset Management Coordinator.....	\$22,333.00	\$ 70,274.88
10. IT Network and Data Center Operations Manager.....	\$55,000.00	\$ 87,426.00
11. IT Project Manager I.....	<b>\$20,092.80</b>	\$ 55,004.56
12. IT Project Manager II.....	\$22,333.00	\$ 72,354.88
13. IT Quality Assurance and Control Analyst.....	<b>\$20,092.80</b>	\$ 55,004.56
14. IT Telecommunications Analyst I.....	\$30,214.00	\$ 65,173.68
15. IT Telecommunications Analyst II.....	\$30,214.00	\$ 80,773.68
16. IT Telecommunications Technician II.....	\$44,803.00	\$ 66,842.88
17. IT Training Analyst.....	\$38,000.00	\$ 57,200.00
18. IT Training Coordinator.....	\$38,000.00	\$ 67,200.00
19. Network Analyst I.....	\$30,214.00	\$ 65,173.68
20. Network Analyst II.....	\$30,214.00	\$ 81,773.68
21. PC Technician.....	\$25,000.00	\$ 45,000.00
22. Program Manager.....	\$30,214.00	\$ 75,769.20
23. Supervisor Applications Development.....	\$39,937.34	\$ 78,810.44
24. Supervisor of Systems and Technical Support.....	\$55,000.00	\$ 78,000.00
25. Supervisor Quality Assurance.....	\$39,937.34	\$ 78,810.44
26. Supervisor Software Support.....	\$39,937.34	\$ 78,810.44
27. Web Content Editor.....	<b>\$20,092.80</b>	\$ 55,004.56
28. Web Developer.....	\$30,215.00	\$ 75,769.20
29. Web Master.....	\$30,215.00	\$ 90,923.04

**Section 42. Part-Time/Seasonal Group**

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

	<b>Minimum</b>	<b>Maximum</b>
1. Box Office Cashier.....	\$ 10.33	\$ 15.49
2. Chaplain.....	<b>\$ 9.66</b>	\$ 11.48
3. Checker.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>
4. Conservation Aide.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>
5. Dentist.....	\$ 13.38	\$ 28.58
6. Head Usher.....	<b>\$ 9.66</b>	\$ 11.35
7. Law Clerk.....	<b>\$ 9.66</b>	\$ 12.48
8. Medical Examiner.....	\$ 21.40	\$ 58.61
9. Organ Tuner.....	<b>\$ 9.66</b>	\$ 25.07
10. Park Maintenance Aide.....	<b>\$ 9.66</b>	\$ 9.20
11. Ranger.....	<b>\$ 9.66</b>	\$ 11.20
12. School Crossing Guard (Per Day).....	\$ 20.50	\$ 26.00
13. Section Supervisor.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>
14. Snow Removal Vehicle Operator.....	\$ 10.40	\$ 15.04
15. Stage Hand.....	\$ 19.11	\$ 27.34
16. Stage Hand Casual.....	\$ 20.60	\$ 27.00
17. Stage Hand - Show Rate (Per Show).....	\$ 64.89	\$ 88.75
18. Student Aide.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>
19. Student Assistant.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>
20. Usher.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>
21. Usher Captain.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>

**Section 46. Municipal Court Employees**

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

	<b>Minimum</b>	<b>Maximum</b>
1. Associate Director.....	\$37,783.00	\$ 73,287.14
2. Bailiff.....	\$36,085.00	\$ 65,779.39
3. Chief Deputy Bailiff.....	\$37,569.00	\$ 75,272.41
4. Chief Magistrate.....	\$48,620.00	\$ 84,240.00
5. Chief Probation Officer.....	\$50,395.00	\$ 92,560.00
6. Clinical Director.....	\$37,783.00	\$ 79,040.00
7. Deputy Bailiff.....	\$21,424.00	\$ 51,247.40
8. Deputy Bailiff Administrative Assistant - Finance.....	\$39,173.00	\$ 62,655.52
9. Deputy Bailiff Administrative Assistant - Operations.....	\$39,173.00	\$ 62,655.52
10. Deputy Bailiff Assistant Director of Data Processing.....	\$22,223.00	\$ 60,320.00
11. Deputy Bailiff Assistant Jury Commissioner.....	\$21,907.00	\$ 53,759.65
12. Deputy Bailiff Central Scheduling Director.....	\$41,755.17	\$ 75,300.26
13. Deputy Bailiff Chief Court Reporter.....	\$41,755.00	\$ 70,816.12
14. Deputy Bailiff Clerk Typist.....	<b>\$20,092.80</b>	\$ 41,420.08
15. Deputy Bailiff - Court Administrator.....	\$62,624.00	\$ 91,354.07
16. Deputy Bailiff - Court Reporter.....	\$22,914.00	\$ 54,828.04
17. Deputy Bailiff Data Processor.....	\$21,100.00	\$ 55,120.00
18. Deputy Bailiff Deputy Court Administrator.....	\$45,486.00	\$ 78,526.24
19. Deputy Bailiff/Deputy Court Administrator Chief Information Officer.....	\$45,486.00	\$ 91,354.07
20. Deputy Bailiff Deputy Chief Court Reporter.....	\$22,923.00	\$ 56,457.93
21. Deputy Bailiff Director of Data Processing.....	\$58,349.00	\$ 95,680.00
22. Deputy Bailiff Finance Officer.....	\$39,173.00	\$ 62,655.52
23. Deputy Bailiff General.....	\$21,424.00	\$ 54,589.63
24. Deputy Bailiff Jury Commissioner.....	\$37,783.00	\$ 64,450.30
25. Deputy Bailiff Law Clerk.....	\$21,250.00	\$ 47,920.78
26. Deputy Chief Magistrate.....	\$40,752.00	\$ 75,920.00
27. Deputy Bailiff - Office Manager.....	\$39,827.00	\$ 74,961.59
28. Deputy Bailiff Private Secretary.....	\$20,112.00	\$ 38,480.00
29. Deputy Bailiff Public Information Officer.....	\$38,417.60	\$ 47,840.00
30. Deputy Bailiff Scheduler I.....	\$22,284.00	\$ 48,171.45
31. Deputy Bailiff Session Room Supervisor.....	\$22,284.00	\$ 53,774.13
32. Deputy Bailiff - Special Projects Officer.....	\$30,000.00	\$ 63,502.22
33. Deputy Bailiff Supervisor.....	\$41,368.00	\$ 65,779.39
34. Deputy Bailiff Systems Analyst.....	\$35,000.00	\$ 61,274.08
35. Deputy Bailiff Training Officer.....	\$31,000.00	\$ 63,502.22
36. Deputy Chief Probation Officer.....	\$42,318.00	\$ 72,559.64
37. Immobilization Officer.....	\$15.60 per hour	\$26.57 per hour
38. Magistrate.....	\$40,752.00	\$ 71,897.88
39. Municipal Court Psychologist.....	\$47.74 per hour	\$100.27 per hour
40. Personal Bailiff.....	\$43,285.00	\$ 65,520.00
41. Probation Officer General.....	\$28,585.00	\$ 57,200.00
42. Probation Officer Supervisor.....	\$48,616.00	\$ 73,096.61
43. Psychiatric Case Worker.....	\$21,681.00	\$ 57,200.00
44. Psychiatric Social Worker.....	\$21,907.00	\$ 57,200.00
45. Psychologist II.....	\$60.00 per hour	\$93.58 per hour
46. Small Claims Magistrate.....	\$20,687.00	\$ 54,060.45
47. Student Aide.....	\$ 9.20	\$ 9.20
48. Traffic Court Magistrate.....	\$40,752.00	\$ 74,880.00
49. Chief Housing Court Specialist.....	\$52,158.83	\$ 81,283.96

50.	Housing Court Administrative Assistant.....	\$23,063.94	\$ 48,171.45
51.	Housing Court Administrator.....	\$64,815.84	\$ 91,354.07
52.	Housing Court ADR Specialist.....	\$31,050.00	\$ 63,520.00
53.	Housing Court Chief Bailiff.....	\$38,883.92	\$ 75,272.41
54.	Housing Court Chief Magistrate.....	\$50,321.70	\$ 86,665.96
55.	Housing Court Coordinator.....	\$23,063.94	\$ 48,171.45
56.	Housing Court Court Reporter.....	\$23,715.99	\$ 54,828.04
57.	Housing Court Deputy Bailiff.....	\$22,173.84	\$ 51,247.40
58.	Housing Court Deputy Bailiff - Uniformed.....	\$22,173.84	\$ 51,247.40
59.	Housing Court Deputy Bailiff Supervisor.....	\$42,815.88	\$ 65,779.39
60.	Housing Court Deputy Bailiff/Finance Officer.....	\$38,544.06	\$ 62,655.52
61.	Housing Court Deputy Bailiff/Judicial Clerk.....	\$21,993.75	\$ 47,920.78
62.	Housing Court Deputy Bailiff/Staff Attorney.....	\$29,585.48	\$ 55,040.40
63.	Housing Court Magistrate.....	\$42,178.32	\$ 79,189.76
64.	Housing Court Magistrates' Personal Bailiff.....	\$23,063.94	\$ 48,171.45
65.	Housing Court Personal Bailiff.....	\$44,799.98	\$ 66,769.09
66.	Housing Court Project Coordinator.....	\$31,050.00	\$ 63,502.22
67.	Housing Court Receptionist.....	\$19,136.00	\$ 31,983.31
68.	Housing Court Scheduler.....	\$23,063.94	\$ 48,171.45
69.	Housing Court Secretary.....	\$20,815.92	\$334,046.11
70.	Housing Court Specialist.....	\$29,585.48	\$ 55,246.40
71.	Housing Court Specialist - Mediation Coordinator.....	\$29,585.48	\$ 55,406.40
72.	Housing Court Student Aide.....	\$7.00 per hour	\$9.20 per hour

**Section 52. Division of Fire; Various Positions**

The annual salaries of persons appointed to the following ranks of the Division of Fire shall be fixed by the appointing authority within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
1. Battalion Chief.....	\$72,039.84	\$ 75,441.43
2 Captain.....	\$62,034.36	\$ 65,035.73
3 Lieutenant.....	\$53,408.93	\$ 56,065.29
4 Firefighter - Journeyman.....	\$45,973.21	\$ 48,332.14
5 Apprentice - Medic III.....	\$41,881.79	\$ 43,557.06
6 Apprentice - Medic II.....	\$41,381.79	\$ 43,557.06
7 Apprentice - Medic I.....	\$40,381.79	\$ 41,997.06
8 Trainee.....	<b>\$ 9.66</b>	<b>\$ 9.66</b>

**Section 2.** That the existing sections of Ordinance No. 384-03, passed March 10, 2003, Sections 4 and 7, as amended by Ordinance No. 1801-03, passed October 13, 2003, Section 8, as amended by Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003, Sections 9, 10, 12, 13, 14, and 22, as amended by Ordinance No. 1801-03, passed October 13, 2003, Section 27, as amended by Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003, Section 28, as amended by Ordinance No. 1505-04, passed August 11, 2004, Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003, Sections 29 and 30, as amended by Ordinance No. 1801-03, passed October 13, 2003, and Ordinance No. 605-03, passed June 10, 2003, Sections 31 and 40, as amended by Ordinance No. 605-03, passed June 10, 2003, Section 42, as amended by Ordinance No. 2096-03, passed October 27, 2003, and Ordinance No. 1801-03, passed October 13, 2003, Section 46, as amended by Ordinance No. 605-03, passed June 10, 2003, and Section 52, are repealed.

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

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

**Ord. No. 1815-04.**  
**By Council Members Cimperman, Sweeney and Jackson (by departmental request).**

**An emergency ordinance determining the method of making the public improvement of rehabilitating, modifying, or abandoning basement areaways and vaults along portions of Euclid Avenue and East 17th Street; and authorizing the Director of Public Service to enter into one or more public improvement contracts for the making of the improvement.**

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

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

**Section 1.** That, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of rehabilitating, modifying, or abandoning basement areaways and vaults along Euclid Avenue from Public Square to the East Cleveland corporation line and also along East 17th Street from Euclid Avenue to Chester Avenue, for the Division of Engineering and Construction, Department of Public Service, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

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

**Section 3.** That the cost of the improvement authorized shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394 and 20 SF 500, Request No. 131066.

**Section 4.** That this ordinance is 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. 1820-04.**  
**By Council Member Gordon.**  
**An emergency ordinance designating Benjamin Franklin School of Tomorrow and Community Garden as a Cleveland Landmark.**

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate Benjamin Franklin School of Tomorrow and Community Garden as a landmark; and

Whereas, a public hearing under division (b) (2) of Section 161.04 was

held on April 22, 2004 to discuss the proposed designation of Benjamin Franklin School of Tomorrow and Community Garden as a landmark; and

Whereas, the Commission has recommended designation of Benjamin Franklin School of Tomorrow and Community Garden as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

**Section 1.** That Benjamin Franklin School of Tomorrow and Community Garden whose street address in the City of Cleveland is 1905 Spring Road, S.W., also known as Cuyahoga County Auditor's Permanent Parcel Number 009-27-001, and the land embracing the site thereof, which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

Referred to Directors of City Planning Commission, Law; Committee on City Planning.

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

**Ord. No. 1817-04.**  
**By Council Member Britt.**  
**An emergency ordinance to amend Section 2 of Ordinance No. 1687-04, passed September 13, 2004 as it pertains to authorizing the Director of Community Development to enter into a grant agreement with InterAct Cleveland for the InterAct Hunger Center 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 Section 2 of Ordinance No. 1687-04, passed September 13, 2004 are hereby amended to read as follows:

**Section 2.** That the cost of said contract shall be in an amount not to exceed **\$31,638** and shall be paid from Fund No. 10 SF 166.

**Section 2.** That Section 2 of Ordinance No. 1687-04, passed September 13, 2004 are hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives

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

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

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

**Ord. No. 1818-04.**  
**By Council Member Jones.**  
**An emergency ordinance to amend Section 2 of Ordinance No. 1198-04, passed June 14, 2004 as it pertains to authorizing the Director of Community Development to enter into an agreement with Amistad Development Corporation for the Lee-Harvard-Seville-Miles Community Festival.**

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 of Ordinance No. 1198-04, passed June 14, 2004 are hereby amended to read as follows:

**Section 2.** That the cost of said contract shall be in an amount not to exceed **\$28,500** and shall be paid from Fund No. 10 SF 166.

**Section 2.** That Sections 2 of Ordinance No. 1198-04, passed June 14, 2004 is hereby repealed.

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

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

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

**Ord. No. 1819-04.**  
**By Council Member Conwell.**  
**An emergency ordinance authorizing certain persons to engage in peddling in Ward 9. (Robert Bivens)**

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 9; and

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

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



**Section 1.** That this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow each persons named: Robert Bivens at southeast corner of Euclid Avenue and Adelbert Road.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted may be revoked at any time by this Council.

**Section 4.** That this ordinance is 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 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1825-04.**

**By Council Member Jackson.**

**An emergency ordinance authorizing the Director of Finance to participate in the Ohio Safety Incentive Program in order to entitle the City to a workers' compensation premium rebate.**

Whereas, the Ohio Bureau of Workers' Compensation has notified the City of Cleveland of its eligibility to participate in the Ohio Safety Council Incentive Program (Program); and

Whereas, under the Program, the City will enroll in the local Greater Cleveland Safety Council and receive a 2% one-time workers' compensation premium rebate; and

Whereas, in order to participate in the Program, the City must submit its application to the Safety Council by September 30, 2004; and

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

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

**Section 1.** That the Director of Finance, on behalf of the City of Cleveland, is authorized to take all necessary steps to join and participate in the Ohio Safety Incentive Program, including enrolling the City in the local Greater Cleveland Safety Council, filing all reports, and paying the required filing fee, currently estimated at \$6,000, payable from Fund No. 01-040203-623000, Request No. 146218.

**Section 2.** That this ordinance is 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 18. Nays 0. Read second time. Read

third time in full. Passed. Yeas 18. Nays 0.

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

**Res. No. 1816-04.**

**By Council Member Dolan.**

**An emergency resolution declaring the necessity and intention to appropriate property for the public use of the elimination of blight and nuisance property, located at 16800 Lorain Avenue.**

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

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

**Section 1.** That for the public purpose of the elimination of blight and nuisance property, it is necessary to appropriate in fee simple interest and this Council declares its intent to appropriate the fee simple interest in and to the following described property located at 16800 Lorain Avenue:

Permanent Parcel Number 025-16-020  
16800 Lorain Avenue

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and bounded and described as follows, to-wit: and known as being part of Original Rockport Township Section No. 13, bounded and described as follows: Beginning in the Northwesterly line of Lorain Avenue at a point 460 feet North-easterly (measured along said Northwesterly line) from the Easterly line of land conveyed to Kate Schink by deed dated October 7, 1898, and recorded in Volume 692, Page 493 of Cuyahoga County Records; thence Northeasterly along said Northwesterly line of Lorain Avenue 50 feet; thence Northwesterly on a line at right angles to said Northwesterly line of Lorain Avenue 120 feet; thence Southwesterly on a line parallel with said Northwesterly line of Lorain Avenue 50 feet; thence Southeasterly 120 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Finance is 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. The 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 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 adoption.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1821-04.**

**By Council Member Gordon.**

**An emergency resolution urging Governor Bob Taft to provide full funding for the Clean Ohio Fund in the 2005 Capital Budget.**

Whereas, in November of 2000, Ohio voters approved State Issue 1, the Clean Ohio Fund, allowing the State of Ohio to grant funds to local communities, through the sale of state bonds, for local environmental projects; and

Whereas, the Clean Ohio Fund is divided into four competitive funding programs; and

Whereas, the Clean Ohio Green Space Conservation Program helps to fund preservation of open spaces, sensitive ecological areas, and stream corridors; and

Whereas, the Clean Ohio Agricultural Easement Purchase Program supports the permanent preservation of Ohio's farmland through the purchase of development rights; and

Whereas, the Clean Ohio Trail Fund works to improve outdoor recreational opportunities for Ohioans by funding trails for outdoor pursuits; and

Whereas, the Clean Ohio Revitalization Fund supports the cleanup of polluted properties so that they can be restored to productive uses; and

Whereas, Clean Ohio projects have generated jobs in communities across the state; and

Whereas, this job creation has created a positive economic impact at the local level; and

Whereas, Clean Ohio projects have generated positive civic involvement in the communities where projects have been funded; and

Whereas, continuous and full funding will ensure that the benefits promised to Ohio voters in 2000 continue; and

Whereas, continuous and full funding will enable existing projects to move forward and will allow new projects in the planning phase to proceed forward; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health, or safety, now, therefore,

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

**Section 1.** That the Council of the City of Cleveland urges Ohio Governor Bob Taft to provide full funding for the Clean Ohio Fund in the 2005 Capital Budget.

**Section 2.** That the Clerk of Council is hereby requested to transmit a copy of this resolution to Ohio Governor Bob Taft, those members of the State of Ohio Legislature representing residents of the City of Cleveland, and the Director of the Ohio Municipal League.

**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 adoption.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1822-04.****By Council Member Gordon.**

**An emergency resolution withdrawing objection to a New C2 Liquor Permit at 4519 Bush Avenue and repealing Resolution No. 1126-04, objecting to said permit.**

Whereas, this Council objected to a New C2 Liquor Permit to 4519 Bush Avenue by Resolution No. 1126-04 adopted by the Council on June 7, 2004; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit; 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 a New C2 Liquor Permit to Sukhdev S. Chauhan, DBA Tower Food Mart, 4519 Bush Avenue, Cleveland, Ohio 44109, Permanent Number 14050630010, be and the same is hereby withdrawn and Resolution No. 1126-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1823-04.****By Council Member Reed.**

**An emergency resolution objecting to a New C2 Liquor Permit at 3832 Martin Luther King Jr. Drive.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C2 Liquor Permit at Jasmin Beverage, Inc., DBA Times Square Food Mart, 3832 Martin Luther King, Jr. Drive, Cleveland, Ohio 44105, Permanent Number 4248529; 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, prosperity, 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 a New C2 Liquor Permit at Jasmin Beverage, Inc., DBA Times Square Food Mart, 3832 Martin Luther King Jr. Drive, Cleveland, Ohio 44105, Permanent Number 4248529; 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 is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1824-04.****By Council Member Sweeney.**

**An emergency resolution withdrawing objection to a New C1 Liquor Permit at 13925 Puritas Avenue and repealing Resolution No. 1130-04, objecting to said permit.**

Whereas, this Council objected to a New C1 Liquor Permit to 13925 Puritas Avenue by Resolution No. 1130-04 adopted by the Council on June 7, 2004; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit; 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 a New C1 Liquor Permit to Metri, Inc., DBA Clark on Go, 13925 Puritas Avenue, Cleveland, Ohio 44135, Permanent Number 5870500, be and the same is hereby withdrawn and Resolution No. 1130-04, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1826-04.****By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 1822-26 West 25th Street and repealing Resolution No. 1550-04, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 1822-26 West 25th Street by Resolution No. 1550-04 adopted by the Council on August 11, 2004; 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 C2 and C2X Liquor Permit to Jay Bridge Foods, Inc., DBA Gateway Food Market, 1822-26 West 25th Street, Cleveland, Ohio 44113, Permanent Number 4255501, be and the same is hereby withdrawn and Resolution No. 1550-04, containing such 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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**MOTION**

By Council Member Pierce Scott, seconded by Council Member Sweeney, and unanimously carried that the absence of Council Members Patricia J. Britt, Joe Cimperman and Joseph T. Jones be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 7:55 p.m. to meet on Monday, October 4, 2004 at 7:00 p.m. in the Council Chambers.



Clerk of Council

**THE CALENDAR**

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

NONE

**BOARD OF CONTROL**

September 22, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 22, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Absent: Director Fumich.

Others: Myrna Branche, Commissioner, Purchases and Supplies.

Collette Appolito, Director, Office of Equal Opportunity.

On motions, the following resolutions were adopted, except as may be otherwise noted:

**Resolution No. 538-04.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that the bid of Bosworth Industrial Supply, for an estimated quantity of hand held and hand held power tools, Item 3-Klein full pack, (42% off price list), Klein broken pack, (18% off price list), Armstrong, (48.50% off price list), Item 4-HC, TC, DC, PC, (14% off price list), Item 5-A, B & E, (30% off price list), T, LE, LD, (9% off price list), D, (24% off price list), X, (2% off price list), Item 8-Klein full pack, (42% off price list), Klein broken pack, (18% off price list) & Greenlee, Items, Q, S, F, P, 0-5 (list), E, B, D, J, V, & W, (20% off price list), K & U, (28% off price list) and Z, (30% off price list), for the various divisions of City government, for the period of one (1) year beginning with the date of execution of

a contract, received on June 30, 2004, under the authority of Ordinance No. 884-03, passed June 2, 2003, which on the basis of the estimated quantity would amount to Sixty Eight Thousand and 00/100 Dollars (\$68,000.00) (2%, 10 Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Finance is 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. 142814

which shall be certified against such contract in the sum of Thirty Thousand and 00/100 Dollars (\$30,000.00).

The 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 the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 539-04.**

By Director Baker.

Resolved, by the Board of Control of the City of Cleveland that all bids received on June 30, 2004, for the purchase of an estimated quantity of hand held and hand held power tools, Section 8, (CIP) and Greenlee (item M), for the various divisions of City government, pursuant to the authority of Ordinance No. 884-03, passed by the Council of the City of Cleveland on a June 2, 2003 are rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 540-04.**

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Idexx Distribution, Inc. for an estimated quantity of laboratory equipment, testing and analytical services, biological testing media and appurtenances (all items) for the Division of Water, Department of Public Utilities, for a period of two (2) years beginning with the later of the date of execution of a contract or receipt of a notice to proceed, received on the 30th day of July, 2004, pursuant to the authority of Section 129.28 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Seventy Nine Thousand Ninety Four Dollars and 00 Cents (\$79,094.00) (0% 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for such commodities,

which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 148326

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

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 541-04.**

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of Fire Safety Services, Inc. for thermal imaging cameras for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 14, 2004, pursuant to the authority of Ordinance No. 3-04, passed February 9, 2004, which on the basis of the estimated quantity would amount to Thirty-Nine Thousand One Hundred Twenty-Five and 00/100 Dollars (\$39,125.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154613

as specified,

which shall be certified against such contract in the sum of Thirty-Nine Thousand One Hundred Twenty-Five and 00/100 (\$39,125.00).

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 Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 542-04.**

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of Dive Quarters, Inc. for dive rescue equipment, Item Nos. 1, 2, 3, 4, 7, 8, 10, 11, 12, 13, 14 and 15, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 15, 2004, pursuant to the authority of Ordinance No. 3-04, passed by Cleveland City Council on February

9, 2004, which on the basis of the estimated quantity would amount to Nine Thousand Eight Hundred Sixty-Seven and 00/100 Dollars (\$9,867.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154615 as specified,

which shall be certified against such contract in the sum of Nine Thousand Eight Hundred Sixty-Seven and 00/100 Dollars (\$9,867.00).

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 Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 543-04.**

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of Underwater Dive Center, Inc. for dive rescue equipment, Item Nos. 5, 6, 9 and 16, for the Division of Fire, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 15, 2004, pursuant to the authority of Ordinance No. 3-04, passed by Cleveland City Council on February 9, 2004, which on the basis of the estimated quantity would amount to One Thousand Two Hundred Twenty-Four and 50/100 Dollars (\$1,224.50), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 154616 as specified,

which shall be certified against such contract in the sum of One Thousand Two Hundred Twenty-Four and 50/100 Dollars (\$1,224.50).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 544-04.**

By Director Watson.

Resolved, by the Board of Control of the City of Cleveland that the bid of Central States Fire Apparatus, LLC for a decontamination unit body, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on July 15, 2004, pursuant to the authority of Ordinance No. 206-04, passed by the Council of the City of Cleveland on February 9, 2004, which on the basis of the estimated quantity would amount to Eighty-Four Thousand Thirty-Five and 00/100 Dollars (\$84,035.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Safety is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 153927

which shall be certified against such contract in the sum of Eighty-Four Thousand Thirty-Five and 00/100 Dollars (\$84,035.00).

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 Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 545-04.**

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel Nos. 120-11-049 and 120-11-050 located at East 123rd Street in Ward 9; and

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

Whereas, Stephanie Hagler, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcels; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has consented to the proposed sale;

2. The parcels are either less than 4,800 square feet or less than 40 feet frontage;

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Stephanie Hagler for the sale and development of Permanent Parcel Nos. 120-11-049 and 120-11-050 located at East 123rd Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.

Absent: Director Fumich.

**Resolution No. 546-04.**

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 016-17-015 located at Denison Avenue in Ward 16; and

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

Whereas, Kevin C. Freeman and Teresa J. Freeman, abutting/adjacent landowners, have proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 16 has consented to the proposed sale;

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

3. The proposed purchasers of said parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Kevin C. Freeman and Teresa J. Freeman for the sale and development of Permanent Parcel No. 016-17-015 located at Denison Avenue, in accordance with

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

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.  
Absent: Director Fumich.

**Resolution No. 547-04.**

By Director Rush.

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

Whereas, under said Program, the City has acquired Permanent Parcel No. 129-20-049 located at 2921 East 123rd Street in Ward 4; and

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

Whereas, Buckeye Area Development Corporation, abutting/adjacent landowner, has proposed to the City to purchase and develop said parcel; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 has consented to the proposed sale;

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

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

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is hereby requested to execute an Official Deed for and on behalf of the City of Cleveland, with Buckeye Area Development Corporation for the sale and development of Permanent Parcel No. 129-20-049 located at 2921 East 123rd Street, in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is hereby determined to be not less than the Fair Market value of said parcels for uses in accordance with said Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus,

Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.  
Absent: Director Fumich.

**Resolution No. 548-04.**

By Director Baker and Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction Company, Inc., for the public improvement of Phase II of the City offices relocation, base bid and alternates 1, 2, 3, 4, and 5, for the Department of Finance and the Department of Public Service, received on September 15, 2004, under the authority of Ordinance No. 2144-03, passed January 5, 2004, for a gross price for the improvement in the aggregate amount of Four Million Two Hundred Thirty Five Thousand Five Hundred Fifty and no/100 Dollars (\$4,235,550.00), is affirmed and approved as the lowest responsible bid, and the Directors of Finance and Public Service are authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Envirocom Construction Company, Inc., is approved:

<u>Subcontractor</u> <u>MBE/FBE</u>	<u>Amount</u> <u>Percentage</u>
RCE Inc. MBE	\$214,000 5.08%
Pearlrock, Inc. MBE	\$300,000 7.12%
MAC Mechanical FBE	\$130,000 3.09%
U.S. Communications FBE	\$150,000 3.56%
Century Contractors	\$420,000 9.97%
Owens Flooring	\$160,000 3.80%
Doan Pyramid	\$380,000 9.02%
Corcorcan Tile	\$ 41,000 .97%
Harmony Glass	\$140,000 3.32%

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Directors Pettus, Directors Ronayne, Rush, Acting Director Brown, Huth, Taylor and Acting Director Vilkas.

Nays: None.  
Absent: Director Fumich.

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 stated 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.

REYNALDO GALINDO,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 11, 2004**

**9:30 A.M.**

**Calendar No. 04-215:** 720 East 152nd Street (Ward 10)

Brett Greer, owner, appeals to install a 6' high chain link fence along the front and side street yard of a 147' x 140' corner lot in a General Retail Business District on the west side of East 152nd Street at 720 East 152nd Street; contrary to the Fence Regulations for General Retail Business Districts that require no more than a 4' fence height, except as specifically required because of the type of use in Non-Residential Districts and other than General and Unrestricted Industry Districts, as stated in Section 358.05(a)(2) of the Codified Ordinances.

**Calendar No. 04-216:** 15020 Cardinal Avenue (Ward 10)

Brett Greer, owner, appeals to install a 6' high chain link fence along the front of a 40' x 140' lot in a General Retail Business District on the south side of Cardinal Avenue at 15020 Cardinal Avenue; contrary to the Fence Regulations for General Retail Business Districts that require no more than a 4' fence height, except as specifically required because of the type of use in Non-Residential Districts and other than General and Unrestricted Industry Districts, as stated in Section 358.05(a)(2) of the Codified Ordinances.

**Calendar No. 04-218:** 3549 East 118th Street (Ward 3)

Dessie Stevens, owner, appeals to enclose a 20' x 7'-6" front porch of an existing 30' x 40' two-story frame, one family dwelling, situated on a 37' x 118' lot in a Two-Family District on the east side of East 118th Street at 3549 East 118th Street; contrary to the Requirements for Yards and Courts, a 7'-6" enclosed porch projection is proposed and no enclosed porch should project more than 4', nor aggregate a vertical area in any story more

than 20% of the facade in that story, as stated in Section 357.13(b)(4) of the Codified Ordinances.

**Calendar No. 04-219:** Little Rascals Day Care Center 11920 Buckeye Road (Ward 4)

Mattie and Joe Hemphill d.b.a., Little Rascals Day Care Center, appeal under the authority of Section 201.03 from the decision to revoke the permit issued for the operation of the Little Rascals Day Care Center, located at 11920 Buckeye Road, and to suspend the City of Cleveland Application for Licensure, as issued in writing by the Department of Public Health on September 2, 2004, as a result of the code deficiencies discovered during an inspection on August 25, 2004 by the Department of Public Health, according to Section 227.07 of the Codified Ordinances.

**Calendar No. 04-232:** 1113 Fidelity Avenue (Ward 19)

Cheryl Lusardo, owner, appeals to erect a 23' x 20' wolmanized wooden deck to the rear of an existing one family dwelling, situated on a 41' x 121' lot in a Two-Family District on the south side of Fidelity Avenue at 1113 Fidelity Avenue; contrary to Section 357.09(2)(A) of the Yards and Courts Requirements, an 8' distance is provided where no building shall be less than 10' from a main building on an adjoining lot and where there is an existing bay window, the nonconforming interior side yard requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

**Calendar No. 04-236:** 4400 South Meadow Lane (Ward 15)

Bill Graham, a neighboring property owner, appeals under the authority of Section 329.02(d) from the decision of the Director of Building and Housing to issue permit B171786, dated July 6, 2004, with the approval of the Director of City Planning, granting permission to SMC Inc. to erect a 30' x 40' two-story, one family residence with an attached garage on the property located at 4400 South Meadow Lane.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, SEPTEMBER 27, 2004**

At the meeting of the Board of Zoning Appeals on Monday, September 27, 2004, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 04-209:** 3131 Warren Road

William J. Bett appealed to erect a 16' x 11' open porch to the front of a 25' x 25' single family dwelling in a Two-Family District; with condition for an 8' porch projection.

**Calendar No. 04-211:** 4925 State Road St. John of Kronstadt Orthodox Church appealed to convert an existing one-story storage building to a

new use as a church in split zoning for a Semi-Industry and a General Industry District; with conditions.

**Calendar No. 04-222:** 3149 West 31st Street

Carmen Rivera appealed to erect a 10' x 23' wooden wheelchair ramp to the front of a two-story one family dwelling in a Two-Family District.

The following appeals were **Denied:**

**None.**

The following appeal was **Withdrawn:**

**Calendar No. 04-213:** 11500 St. Clair Avenue

David Ali appealed to install a free-standing business sign for a service station in a General Retail Business District.

The following appeals were **Postponed:**

**Calendar No. 04-143:** 2202 Broadway Road postponed to October 25, 2004.

**Calendar No. 04-212:** 1537 East 31st Street postponed to October 25, 2004.

In Executive Session on September 27, 2004, the following appeals heard by the Board on September 20, 2004 were adopted and approved.

The following appeal was **Approved:**

**Calendar No. 04-187:** 4120 Broadway Avenue

William and Patricia Sharp appealed to change from an office and storage to a used auto sales and repair a one-story concrete block building in a Semi-Industry District.

The following appeal was **Denied:**

**Calendar No. 04-203:** 3621 East 54th Street

Chana Newman appealed to change an existing garage to one dwelling unit and to convert an existing two family dwelling located in front of the garage to one dwelling unit in a Two-Family District.

Secretary

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

Re: Report of the Meeting of September 22, 2004

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

\* \* \*

**Docket A-9-03.**

RE: Appeal of Day Electric Company Inc. C/O Ralph L. Day, Contractor Property located on the

premises known as 5900 Riverside Drive from an ADJUDICATION ORDER — PERMIT FEES of the Commissioner of the Department of Building and Housing, dated January 22, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date, the docket is rescheduled for October 6, 2004.

\* \* \*

**Docket A-65-04.**

RE: Appeal of Charlotte L. Tate, Owner of the Two & One-half Story Frame Property located on the premises known as 1783 Crawford Road from a 30 DAY CONDEMNATION ORDER — MS of the Commissioner of the Department of Building and Housing, dated May 24, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order a this time to grant the Appellant three (3) months in which to obtain permits and abate the violations or sell the residence; the residence is to be maintained boarded and secured and the grounds groomed and debris free during that period of time, including removal of vehicles and other property that does not belong nor is allowed there, and that beyond the three (3) month period, the Appellant is required to maintain monthly contact with the City as to the disposition of the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

\* \* \*

**Docket A-66-04.**

RE: Appeal of Champak N. Patel, Owner of the Vacant Restaurant Four Story Brick Property located on the premises known as 310 Prospect Avenue from a 30 DAY DETERIORATED CONDEMNATION ORDER — MS of the Director of the Department of Building and Housing, dated May 20, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant ninety (90) days in which to return to the City with a plan for the building's future that satisfies the City's requirements; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saunders and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

\* \* \*

**Docket A-69-04.**

RE: Appeal of Tomie Smith, Owner of the One & One-half Commercial Masonry Property located on the premises known as 8208

Carnegie Avenue (a.k.a. 8208-10 Carnegie Avenue) from a 72 HOUR EMERGENCY CONDEMNATION ORDER — MS, of the Director of the Department of Building and Housing, dated June 23, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-69-04 has been POSTPONED; to be rescheduled for October 6, 2004.

\* \* \*

**Docket A-72-04.**

RE: Appeal of TMS Enterprises, Ltd., Owner of the Property located on the premises known as 7407 Union Avenue from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated June 23, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the property to remain as is and the usage as proposed, with the condition that the adjacent property is owned by the owner of the building and that he understands the restrictions on construction in that area in order to maintain the windows, and that there is no build zone ten (10) feet to the west of the property. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saunders.

Yeas: Messrs. Denk, Saunders, Gallagher, Saab, Bradley. Nays: None.

\* \* \*

**Docket A-81-04.**

RE: Appeal of Tom Leneghan, Owner of the Property located on the premises known as 806 Literary Road from an ADJUDICATION ORDER of the Director of the Department of Building and Housing, dated June 24, 2004, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Basic Building Code (OBBC).

No action this date, the docket will be rescheduled for November 3, 2004.

\* \* \*

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Bradley and seconded by Mr. Saunders for Approval and Adoption of the Resolutions, as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-59-04—Wilbur E. Kellon Sr.
- A-71-04—Yolanda Green.
- A-74-04—Sutton Builders.
- A-76-04 — The Cleveland Clinic Foundation.
- A-77-04 — The Cleveland Clinic Foundation.
- A-87-04 — The Cleveland Clinic Foundation.

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Bradley and seconded by Mr. Saab for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

September 8, 2004

Yeas: Messrs. Denk, Saunders, Saab, Bradley. Nays: None. Not Voting: Mr. Gallagher.

\* \* \*

Secretary

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**THURSDAY, OCTOBER 14, 2004**

**Constructing and Installing Replacement Sewers and Rehabilitating and Repairing Sewers at Various Locations,** for the Division of Water Pollution Control, Department of Public Utilities as authorized by Ordinance No. 996-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

THERE WILL BE A **MANDATORY PRE-BID MEETING, FRIDAY, OCTOBER 8, 2004, AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, (RED CONFERENCE ROOM), 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.**

September 29, 2004 and October 6, 2004

**FRIDAY, OCTOBER 15, 2004**

**Service Fittings,** for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, THURSDAY, OCTOBER 7, 2004, AT 2:00 P.M., DIVISION OF WATER, DISTRIBUTION & MAINTENANCE, 2ND FLOOR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.**

**Apparatus Intercom Equipment,** for the Division of Fire, Department of Public Safety as authorized by Ordinance No. 1012-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, FRIDAY, OCTOBER 8, 2004, AT 10:00 A.M., CLEVELAND FIRE HEADQUARTERS, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.**

September 29, 2004 and October 6, 2004

**THURSDAY, OCTOBER 21, 2004**

**Rehabilitating Grayton Road (between Puritas Avenue and the I-480 Bridge),** for the Division of Engineering and Construction, Department of Public Service, as authorized by Ordinance No. 2334-03, passed by the Council of the City of Cleveland, February 9, 2003.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING, THURSDAY, OCTOBER 8, 2004, AT 11:00 A.M., CITY HALL, CONFERENCE ROOM 518, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.**

September 29, 2004 and October 6, 2004

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

**Res. No. 1577-04.**

**By Council Member Pierce Scott.**  
An emergency resolution declaring that the issuance of a D-5f permit to Poseidon Investment Group LLC dba East 55th Street Marina is not inconsistent with the City of Cleveland's comprehensive development plan or other economic development goals as established by Cleveland City Council.

Whereas, Poseidon Investment Group LLC dba East 55th Street Marina applied for a F-5f permit from the Ohio Division of Liquor Control; and

Whereas, Ohio Revised Code Section 4304.18.1 requires each application for a D-5f permit to be accompanied by a certification from the local legislative authority that the issuance of the D-5f permit is not inconsistent with the political subdivision's comprehensive development plan or other economic development goal as officially established by the local legislative authority; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health, or safety, now, therefore,

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

**Section 1.** That the issuance of a D-5f permit to Poseidon Investment Group LLC dba East 55th Street Marina is not inconsistent with the City of Cleveland's comprehensive development plan or other economic development goals as established by Cleveland City Council.

**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 September 20, 2004.

Effective September 23, 2004.

**Res. No. 1786-04.**

**By Council Members Coats, O'Malley, Cintron, Polensek, Jones, Conwell, Lewis.**

An emergency resolution encouraging the United States House of Representatives and United States Senate to conduct a review of the Pension Benefit Guaranty Corporation and take such action as may be necessary to ensure the solvency of the Pension Benefit Guaranty.

Whereas, the Pension Benefit Guaranty Corporation ("PBGC") was created by Congress in 1974 to encourage the growth of defined benefit pensions plans, provide timely and uninterrupted payment of pension benefits, and keep pension insurance premiums at a minimum; and

Whereas, the PBGC ensures that retirees receive pensions that they have worked for; and

Whereas, defined benefit pension plans promise to pay a specified monthly benefit at retirement, commonly based on salary and years on the job; and

Whereas, the PBGC is not funded by general tax revenues; and

Whereas, the PBGC collects insurance premiums from employers that sponsor insured pension plans, earns money from investments and receives funds from pension plans it takes over; and

Whereas, according to the PBGC's website, the PBGC pays monthly retirement benefits, up to a guaranteed maximum, to about 459,000 retirees in 3,287 pension plans that ended; and

Whereas, according to the PBGC's website, including those who have not yet retired and participants in multiemployer plans receiving financial assistance, PBGC is responsible for the current and future pensions of about 934,000 people; and

Whereas, 15,000 recipients in the Greater Cleveland area receive pension payments from the PBGC; and

Whereas, it is estimated that more than 8,700 future retirees in the Greater Cleveland area may depend on the PBGC for future pension payments; and

Whereas, at the end of its current fiscal year in September, the PBGC will have made about \$3 billion in pension payments, with more than \$105 billion being distributed among more than 15,000 recipients in the Greater Cleveland area; and

Whereas, the PBGC is in danger of needing a government bailout as companies backed by the PBGC are under funded by \$400 billion and it is estimated that \$85 billion will be passed on the PBGC; and

Whereas, a review of the PBGC and appropriate restructuring is necessary in order to ensure the solvency of the PBGC and, thereby, enable the PBGC to continue its function of ensuring that workers receive the pensions that they worked for; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health, or safety, now, therefore,

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

**Section 1.** That this Council encourages the United States House of Representatives and United States Senate to conduct a review of the Pension Benefit Guaranty Corporation and take such action as may be necessary to ensure the solvency of the Pension Benefit Guaranty Corporation.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to U.S. Senator Michael DeWine, U.S. Senator George Voinovich, Congresswoman Stephanie Tubbs Jones, Congressman Dennis Kucinich, Congressman Sherrod Brown, and Congressman Steven LaTourette.

**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 September 20, 2004.

Effective September 21, 2004.

**Res. No. 1787-04.**

**By Council Members Coats, Pierce Scott, Jones, Conwell, Lewis.**

An emergency resolution opposing the provisional ballot order issued by Secretary of State J. Kenneth Blackwell as such order is contrary to the letter and spirit of the Help America Vote Act of 2002 and encouraging Secretary of State Blackwell to issue an order that is consistent with the Help America Vote Act of 2002.

Whereas, the right to vote is fundamental to democracy; and

Whereas, the Voting Rights Act of 1965 requires uniform standards for voting qualifications and prohibits race discrimination in both voter registration and the voting process; and

Whereas, the Help America Vote Act of 2002 was a bipartisan effort addressing voting concerns, including the casting and counting of provisional ballots, that arose out of the November 2000 election; and

Whereas, Section 302 of the Help America Vote Act of 2002 governs provisional voting and states that an individual shall be permitted to cast a provisional ballot in an election for a Federal office if an individual declares that he or she is a registered voter in the jurisdiction in which the individual desires to vote and the individual's name does not appear on the official list of eligible voters for the polling place or an election official asserts that the individual is not eligible to vote; and

Whereas, when signing the Help America Vote Act of 2002, President George W. Bush stated "When people show up at the polls, and their voting registration is in doubt, they should not be turned away, but allowed to cast a provisional ballot so their vote can be counted if it is later verified that they are properly registered"; and

Whereas, Ohio Secretary of State J. Kenneth Blackwell last week issued an order to all local election officials in Ohio indicating that provisional ballots will be issued only to voters, who, after giving their address, appear to be in the correct precinct but do not show up in registration rolls; and

Whereas, the recent order on provisional ballots issued by Ohio Secretary of State Blackwell is contrary to both the letter and the spirit of the Help America Vote Act of 2002; and

Whereas, 7,900 provisional ballots were cast in the city of Cleveland in the last presidential election; and

Whereas, many precincts and polling places changed after the 2000 census and after the last federal election, thereby increasing the likelihood that more properly registered voters in 2004 than in 2000 will be confused about their proper voting location; and

Whereas, this Council is concerned that properly registered vot-



ers will not be permitted to vote on November 2, 2004 because of Secretary of State Blackwell's order; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

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

**Section 1.** That this Council opposes the provisional ballot order issued by Secretary of State J. Kenneth Blackwell that permits the issuance of provisional ballots only to voters who, after giving their address, appear in the correct precinct but do not show up in registration rolls as such order is contrary to the letter and spirit of the Help America Vote Act of 2002.

**Section 2.** That this Council encourages Secretary of State Blackwell to issue an order governing provisional ballots that is consistent with the Help America Vote Act of 2002.

**Section 3.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to Ohio Secretary of State J. Kenneth Blackwell, U.S. Senator Michael DeWine, U.S. Senator George Voinovich, Congresswoman Stephanie Tubbs Jones, Congressman Dennis Kucinich, Congressman Sherrod Brown, and Congressman Steven LaTourette.

**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 September 20, 2004.

Effective September 21, 2004.

**Res. No. 1788-04.**

**By Council Member White.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 Liquor Permit at 7910 Harvard Avenue, and repealing Resolution No. 282-04, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 Liquor Permit to 7910 Harvard Avenue by Resolution No. 282-04 adopted by the Council on February 23, 2004; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 Liquor Permit to Amer Alahmad, DBA Open Pantry, 7910 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 0092793 be and the same is hereby withdrawn and Resolution No. 282-04, containing such objection, be and

the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 20, 2004.

Effective September 23, 2004.

**Res. No. 1803-04.**

**By Council Members Jackson, Coats, Pierce Scott, Jones, Cintron, Reed, Zane.**

**An emergency resolution expressing this Council's honor that the city of Cleveland was chosen as the location for the NBC-LEO Summer 2004 Conference and expressing its gratitude to the local businesses and organizations, speakers, volunteers, and the Greater Cleveland community that together made the Summer 2004 Conference a success.**

Whereas, the National Black Caucus of Local Elected Officials ("NBC-LEO") held its 2004 NBC-LEO Summer Conference in the city of Cleveland, Ohio on August 18-21, 2004; and

Whereas, thanks to the work of an energetic and dedicated group of Greater Cleveland Councilmembers (Team Cleveland), led by the Host City Coordinator Valarie J. McCall, City Clerk, Clerk of Council, the help of local businesses and organizations, and the extraordinary group of speakers the 2004 Annual Summer Conference was an outstanding success; and

Whereas, the local businesses and organizations which enabled this conference to be one of the finest NBC-LEO conferences to date included: Anthem Blue Cross & Blue Shield, Baker & Hostetler, LLP, Black McDonald's Owners Association, Calfee, Halter & Griswold LLP, City Architecture, Inc., Cleveland City Council, Continental Airlines (MeetingWorks), Dominion East Ohio Gas Company, Fifth Third Bank, FirstEnergy Corporation, Greater Cleveland Convention & Visitors Bureau, Greer Consulting Services Unlimited, Industrial Inventory Solutions, Integrated Consulting Services, Ltd., KeyBank National Association, Marous Brothers Construction, Medical Mutual of Ohio, National City Bank, Ozanne Construction Company, Inc., Pernel Jones & Sons Funeral Home, Qual Choice, Richard L. Bowen Architects, Rock-n-Roll Hall of Fame & Museum, RPM International Inc., SBC Ohio (Cleveland), SBC Ohio (Columbus), SBK-Brooks Investment Corporation, Shore Bank Cleveland, Squire, Sanders & Dempsey, L.L.P., The Cleveland Browns, The Cleveland Clinic Health System, The Cleveland Foundation, The Gund Foundation, The Huntington National Bank, The Ohio Municipal League, The Project Group, The Water Department, The WAVE 107.3, Third Federal Savings & Loan,

Turner Construction Company, US Bank, and the Xerox Corporation; and

Whereas, some of the amazing speakers that lent their time and knowledge to the event included: Dr. Charles Modlin, M.D., Dr. Oluranti Aladesamni, M.D., Dr. Robert Haynie, M.D., Dr. Paula Farrell, Ph.D., Ms. Pamela Marshall Holmes, Dr. Ashwini Sehgal, MD, Ms. RoseMary Covington, Mr. Ron Barnes, Mr. Kenneth Sislak, Ms. Peggy Price, Ms. Maribeth Feke, Mr. Eric L. Small, William E. Matlock, Jr., Ms. Terri Hamilton Brown, The Honorable Stephanie Tubbs Jones, Congresswoman, 11th Congressional District, Dr. Barbara Byrd Bennett, The Honorable Michael R. White, 54th Mayor of the City of Cleveland, Dr. Maxine Greer, Mr. Thom Greer, and The Honorable Marcia L. Fudge, Mayor, Warrensville; and

Whereas, the NBC-LEO Summer 2004 Conference attendees were able to experience the diversity of Greater Cleveland and the many cultural activities this area has to offer; and

Whereas, during the NBC-LEO Summer 2004 Conference, attendees of the conference, were provided with opportunities to tour and visit a city that offers unique opportunities; and

Whereas, these unique opportunities ensured that the attendees were able to participate in activities that are challenging, memorable, and fun; and

Whereas, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health, or safety, now, therefore,

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

**Section 1.** That this Council is honored that the city of Cleveland was chosen as the location for the NBC-LEO Summer 2004 Conference and expresses its gratitude to the local businesses and organizations, speakers, members of Team Cleveland, and the Greater Cleveland community that together made the Summer 2004 Conference a success.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Congresswoman Stephanie Tubbs Jones, former Congressman Louis Stokes, Marian Tasco, President, NBC-LEO, Leo Chaney, Jr., President-Elect of NBC-LEO, all NBC-LEO Board of Directors, Donald J. Borut, Executive Director, National League of Cities, Charles Lyons, President, National League of Cities, Susan Cave, Executive Director, Ohio Municipal League, Anthony Williams, First Vice President, and Jim Hunt, Second Vice President, National League of Cities.

**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 September 20, 2004.

Effective September 21, 2004.

**Ord. No. 1042-04.****By Council Members Britt and Johnson.****An ordinance establishing a Pedestrian Retail Overlay (PRO) District along the north and south sides of Buckeye Road between East 116th and East 124th Streets (Map Change No. 2124, Sheet No. 9)**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning on the Centerline of East 116th Street (60 feet wide) at its Intersection with the Centerline of Buckeye Avenue S.E. (60 feet wide);

Thence Northerly along the Centerline of said East 116th Street to its Intersection with the Westerly prolongation of the Northerly line of Sublot No. 18 in the proposed South Woodland-Rice Avenue Allotment;

Thence Easterly along the Westerly prolongation and Northerly line of said Sublot No. 18 to the Northeasterly corner thereof;

Thence Southerly along the Easterly line of Sublot No. 18 to the Southeasterly corner thereof, said point also being the Southwesterly corner of Sublot No. 25 of said proposed South Woodland-Rice Avenue Allotment;

Thence Easterly along the Southerly line and Easterly prolongation of said Sublot No. 25 to its Intersection with the Centerline of East 117th Street (50 feet wide);

Thence Southerly along the Centerline of said East 117th Street to its Intersection with the Westerly prolongation of the Southerly line of Sublot No. 61 of said proposed Allotment;

Thence Easterly along the Westerly prolongation and Southerly line of said Sublot No. 61 and continuing Easterly along the Southerly line and Easterly prolongation of Sublot No. 68 of said proposed Allotment to its Intersection with the Centerline of East 118th Street (50 feet wide);

Thence Southerly along the Centerline of said East 118th Street to its Intersection with the Westerly prolongation of the Southerly line of Sublot No. 106 of said proposed Allotment;

Thence Easterly along the Westerly prolongation and Southerly line of said Sublot No. 106 and continuing Easterly along the Southerly line and Easterly prolongation of Sublot No. 113 and continuing Easterly traversing East 119th Street (50 feet wide) and continuing Easterly along the Northerly line of Sublot No. 153 of said proposed Allotment to the Northeasterly corner thereof;

Thence Southerly along the Easterly line of said Sublot No. 153 to the Southeasterly corner thereof, said point also being the Southwesterly corner of Sublot No. 160 of said proposed Allotment;

Thence Easterly along the Southerly line and Easterly prolongation of said Sublot No. 160 to its Intersection with the Centerline of East 120th Street (50 feet wide);

Thence Southerly along the Centerline of said East 120th Street to its Intersection with the Westerly prolongation of the Southerly line of Sublot No. 202 of said proposed Allotment;

Thence Easterly along the Southerly line of said Sublot No. 202 and continuing Easterly along the Southerly line and Easterly prolongation of Sublot No. 209 of said proposed Allotment to its Intersection with the Centerline of East 122nd Street (40 feet wide);

Thence Southerly along the Centerline of said East 122nd Street to its Intersection with the Westerly prolongation of the Northerly line of a parcel of land conveyed to Consec Bank, Inc. by Instrument dated December 29, 1998, A.F.N. 199812290805, as recorded in the Cuyahoga County records, and also known as being P.P.N. 129-15-134;

Thence Easterly along the Westerly prolongation and Northerly line of said P.P.N. 129-15-134 to the Northeasterly corner thereof;

Thence Southerly along the Easterly line of said P.P.N. 129-15-134 to its Intersection with the Northerly line of a parcel of land conveyed to Keybank National Association by Instrument dated 11/12/2003, A.F.N. 200311120794, as recorded in the Cuyahoga County records, and also known as being P.P.N. 129-15-135;

Thence Easterly along the Northerly line and Easterly prolongation of said P.P.N. 129-15-135 to its Intersection with the Centerline of East 124th Street (50 feet wide);

Thence Southerly along the Centerline of said East 124th Street to its Intersection with the Centerline of Buckeye Road, as aforesaid;

Thence Westerly along the Centerline of said Buckeye Road to its Intersection with the Centerline of East 123rd Street (50 feet wide);

Thence Southerly along the Centerline of said East 123rd Street to its Intersection with the Easterly prolongation of the Southerly line of Sublot No. 113 of the L.H. Wain Land Company's Rice Heights Allotment as shown by the recorded plat in Volume 45, Page 8 of the Cuyahoga County records;

Thence Westerly along the Easterly prolongation and Southerly line of said Sublot Nos. 113 and 112 of said Allotment to the Southwesterly corner thereof;

Thence Northerly along the Westerly line of said Sublot No. 112 to its Intersection with the Northerly line of Sublot No. 108 of said Allotment;

Thence Westerly along the Northerly line and Westerly prolongation of said Sublot No. 108 and continuing Westerly traversing East 121st Street (50 feet wide) and continuing Westerly along the Northerly line of Sublot No. 4 of said L.H. Wain Land Company's Rice Heights Allotment to its Intersection with the Easterly line of Sublot T of said Allotment;

Thence Southerly along the Easterly line of said Sublot T to the Southeast corner thereof;

Thence Westerly along the Southerly line and Westerly prolongation of said Sublot T to its Intersection with the Centerline of East 120th Street, as aforementioned;

Thence Northerly along the Centerline of said East 120th Street to its Intersection with the Easterly prolongation and Northerly line of Sublot No. 141 of the Rice Homestead Allotment as shown by the recorded plat in Volume 45, Page 12 of the Cuyahoga County Records;

Thence Westerly along the Easterly prolongation and Northerly line of said Sublot No. 141 to its Intersection with the Easterly line of Sublot No. 114 of said Allotment;

Thence Northerly along the Easterly line of said Sublot No.114 to the Northeasterly corner thereof;

Thence Westerly along the Northerly line and Westerly prolongation of said Sublot No. 114 to its Intersection with the Centerline of East 119th Street, as aforementioned;

Thence Southerly along the Centerline of said East 119th Street to its Intersection with the Easterly prolongation of the Southerly line of Sublot No. 107 of said Allotment;

Thence Westerly along the Easterly prolongation and Southerly line of said Sublot No. 107 to its Intersection with the Easterly line of Sublot No. 81 of said Allotment;

Thence Northerly along the Easterly line of Sublot Nos. 81, 80 and 79 of said Allotment to the Northeasterly corner thereof;

Thence Westerly along the Northerly line and Westerly prolongation of said Sublot No. 79 to its Intersection with the Centerline of East 118th Street (44 feet wide);

Thence Northerly along the Centerline of said East 118th Street to its Intersection with the Easterly prolongation and Northerly line of Sublot No. 73 of said Allotment;

Thence Westerly along the Easterly prolongation and Northerly line of said Sublot No. 73 to its Intersection with the Easterly line of Sublot No. 42 of said Allotment;

Thence Northerly along Easterly line of said Sublot No. 42 to the Northeasterly corner thereof;

Thence Westerly along the Northerly line and Westerly prolongation to its Intersection with the Centerline of East 117th Street (44 feet wide);

Thence Northerly along the Centerline of said East 117th Street to its Intersection with the Easterly prolongation of the Northerly line of Sublot No. 36 of said Allotment;

Thence Westerly along the Easterly prolongation and Northerly line of said Sublot No. 36 to its Intersection with the Easterly line of Sublot No. 3;

Thence Northerly along the Easterly line of said Sublot No. 3 to the Northeasterly corner thereof;

Thence Westerly along the Northerly line and Westerly prolongation of said Sublot No. 3 to its Intersection with the Centerline of East 116th Street (60 feet wide);

Thence Northerly along the Centerline of said East 116th Street to its Intersection with the Centerline of Buckeye Road and the place of beginning,

and as outlined and shaded on the attached map is changed to a Pedestrian Retail Overlay District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2124, Sheet No. 9, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

**Proposed Pedestrian Retail Overlay (PRO) District along Buckeye Road between East 116th and East 124th Streets (Map Change No. 2124, Sheet No. 9)**



Passed September 20, 2004.  
Effective October 30, 2004.



**Ord. No. 1464-04.**  
**By Council Members Coats and Jackson (by departmental request).**  
**An emergency ordinance authorizing the City's membership in PJM Interconnection LLC for the provision of electric transmission service and participation in the wholesale power market established by PJM, for the Division of Cleveland Public Power, Department of Public Utilities.**

Whereas, the Division of Cleveland Public Power requires access over the transmission lines of neighboring electric utilities to import its power purchases from various power suppliers, and

Whereas, federal law has required various neighboring utilities to combine their systems to form regional transmission organizations, including the PJM Interconnection LLC ("PJM"), which includes utilities in Delaware, Illinois, New Jersey, Maryland, Ohio, Pennsylvania, Virginia, West Virginia, and Washington, D.C., and

Whereas, the Division of Cleveland Public Power purchases electric transmission service across several PJM utilities and is required to join PJM to continue receiving such

transmission service and to participate in the wholesale energy market established by PJM, 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 Utilities is authorized to enter into an agreement or agreements, and any amendments approved by the Federal Energy Regulatory Commission, with PJM Interconnection LLC ("PJM") for the provision of electric transmission service and participation in the PJM energy market, and to purchase from or through PJM, through the Director or his designee(s), various transmission and other services that are necessary to enable Cleveland Public Power to transmit electricity between itself and its suppliers and to participate in the PJM energy market.

**Section 2.** That the Director of Finance is authorized to make electronic fund transfers to PJM according to PJM's requirements, and to secure letters of credit or other

financial guarantees that may be required to purchase transmission, other related services, and wholesale power.

**Section 3.** That this Council deems the costs of the expenditures authorized by this ordinance to be "power production" costs that shall be included in the calculation of Cleveland Public Power's Energy Adjustment Charge contained in Section 523.21 of the Codified Ordinances of the City of Cleveland, Ohio, 1976.

**Section 4.** That the costs of the expenditures authorized by this ordinance shall be paid from the revenues derived from the sale of electricity by Cleveland Public Power.

**Section 5.** That this ordinance is 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 September 20, 2004.  
 Effective September 23, 2004.

**Ord. No. 1521-04.**  
**By Council Member Cimperman.**

**An ordinance changing the zoning of the rear portion of a parcel located north of an unnamed alley and south of Holmden Avenue and east of West 14th Street from a Semi Industry Use District to a Multi-Family Residential Use District (Map Change No. 2138 Sheet No. 6)**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning on the Centerline of an unnamed alley (14 feet wide) at its Intersection with the Southerly prolongation of the Westerly line of Sublot No. 26 of the Nicola & Judson Allotment, as shown by the recorded plat in Volume 5, Page 7 of the Cuyahoga County Records;

Thence Northerly to a point on the Westerly line of said Sublot No. 26 a distance of approximately 121.16 feet;

Thence Northeasterly approximately 50.06 feet to a point on the Easterly line of Sublot No. 26 of said Allotment, said point being located a distance of approximately 126.05 feet north of the Centerline of the unnamed alley, as aforesaid and approximately 130.90 feet south of the Centerline of Holmden Avenue (50 feet wide);

Thence Southerly along the Easterly line and Southerly prolongation of said Sublot No. 26 to its Intersection with the Centerline of said unnamed alley;

Thence Westerly along the Centerline of said unnamed alley to its Intersection with the Southerly prolongation of the Westerly line of said Sublot No. 26, and the place of beginning, and as outlined and shaded on the attached map is changed to a Multi-Family Residential Use District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2138, Sheet No. 6 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

**Proposal to rezone the rear portion of properties located south of Holmden Avenue and West 14th Street from Semi-Industry to Multi-Family (Map Change No. 2138, Sheet No. 6)**



Passed September 20, 2004.  
 Effective October 30, 2004.

**Ord. No. 1522-04.**

**By Council Member Cimperman.**

**An ordinance changing the zoning of land bounded by University Road, West 14th Street and Crown Avenue from a General Industry Use District to a General Retail Business Use District (Map Change No. 2134 Sheet No. 1)**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning on the Centerline of University Road (60 feet wide) at its Intersection with the Centerline of West 14th Street (100 feet wide);

Thence Southerly along the Centerline of said West 14th Street to its Intersection with the Centerline of Crown Avenue (60 feet wide);

Thence Westerly along the Centerline of said Crown Avenue to its Intersection with the Southerly prolongation of the Westerly line of a parcel of land conveyed to Bojack's Meat and Poultry, Inc. by Instrument dated October 22, 1992, recorded in Volume 29427, Page 15 of the Cuyahoga County Records and also known as P.P.N. 004-27-003;

Thence Northerly, Westerly, and Northeasterly along the irregular Westerly line and Northeasterly prolongation of said P.P.N. 004-27-003 to its Intersection with the Centerline of University Road, as aforesaid;

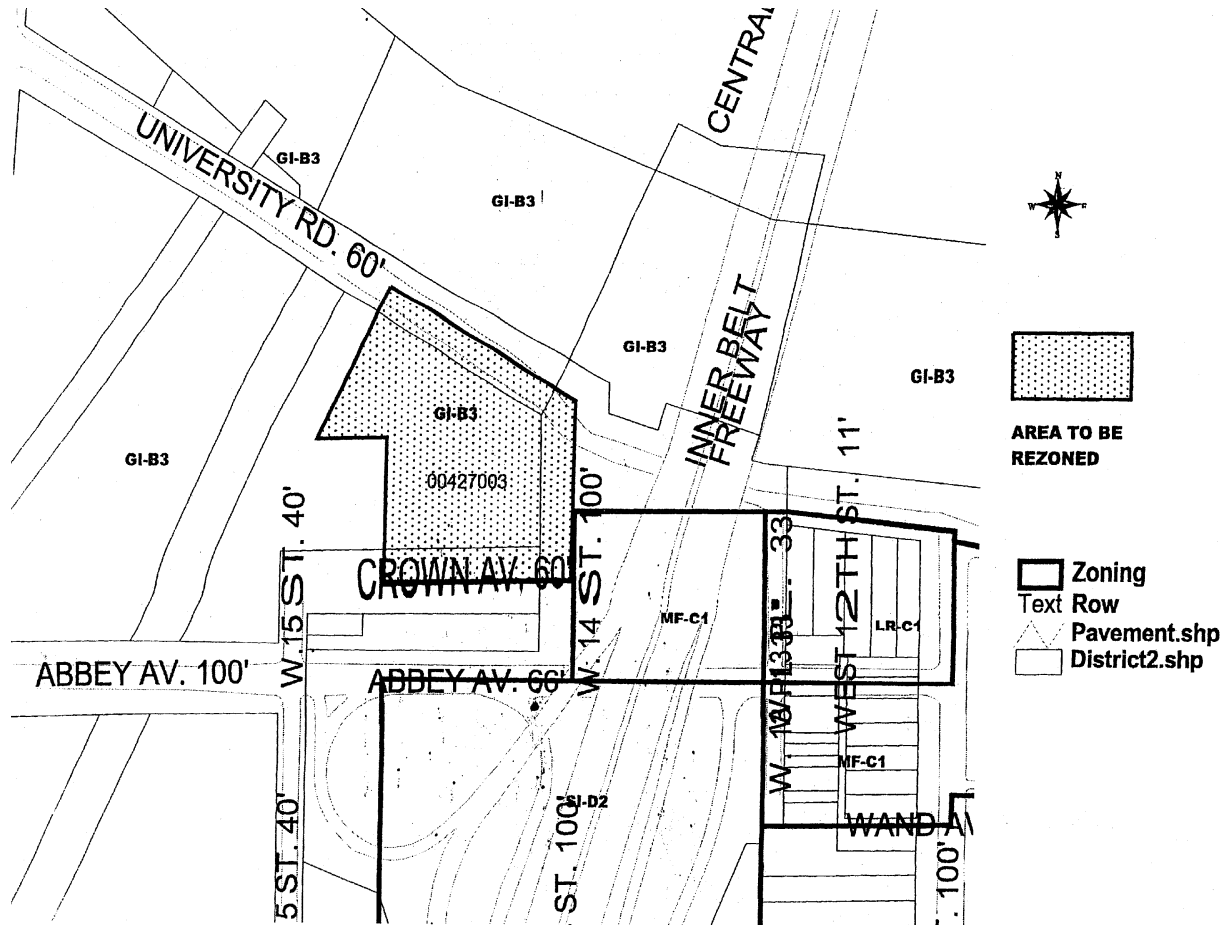
Thence Southeasterly along the Centerline of said University Road to its Intersection with West 14th Street, as aforesaid, and the place of beginning,

and as outlined and shaded on the attached map is changed to a General Retail Business Use District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2134, Sheet No. 1 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

**Proposal zoning change of a parcel bounded by University Road, Crown Avenue, and West 14th Street to Genral Retail (Map Change No. 2134, Sheet No. 1)**



Passed September 20, 2004.  
Effective October 30, 2004.

**Ord. No. 1523-04.**

**By Council Member Gordon.**

**An ordinance to change the zoning of parcels on the north side of Stanford Avenue near Pearl Road from a Semi-Industry Use District to a Two-Family Residential Use District and from a "C" Area District to a "B" Area District (Map Change No. 2137 Sheet No. 2)**

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

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

Beginning on the Centerline of Stanford Avenue (40 feet wide) at its Intersection with the Southerly prolongation of the Westerly line of Sublot No. 8 of the Charles and John Henritze Subdivision as shown by the recorded plat in Volume 19, Page 14 of the Cuyahoga County Records;

Thence Northerly along the Southerly prolongation and Westerly line of said Sublot No. 8 to the Northwestern corner thereof;

Thence Easterly along the Northerly line of Sublot Nos. 8, 7 and 6 of said Subdivision to the Northeastly corner thereof;

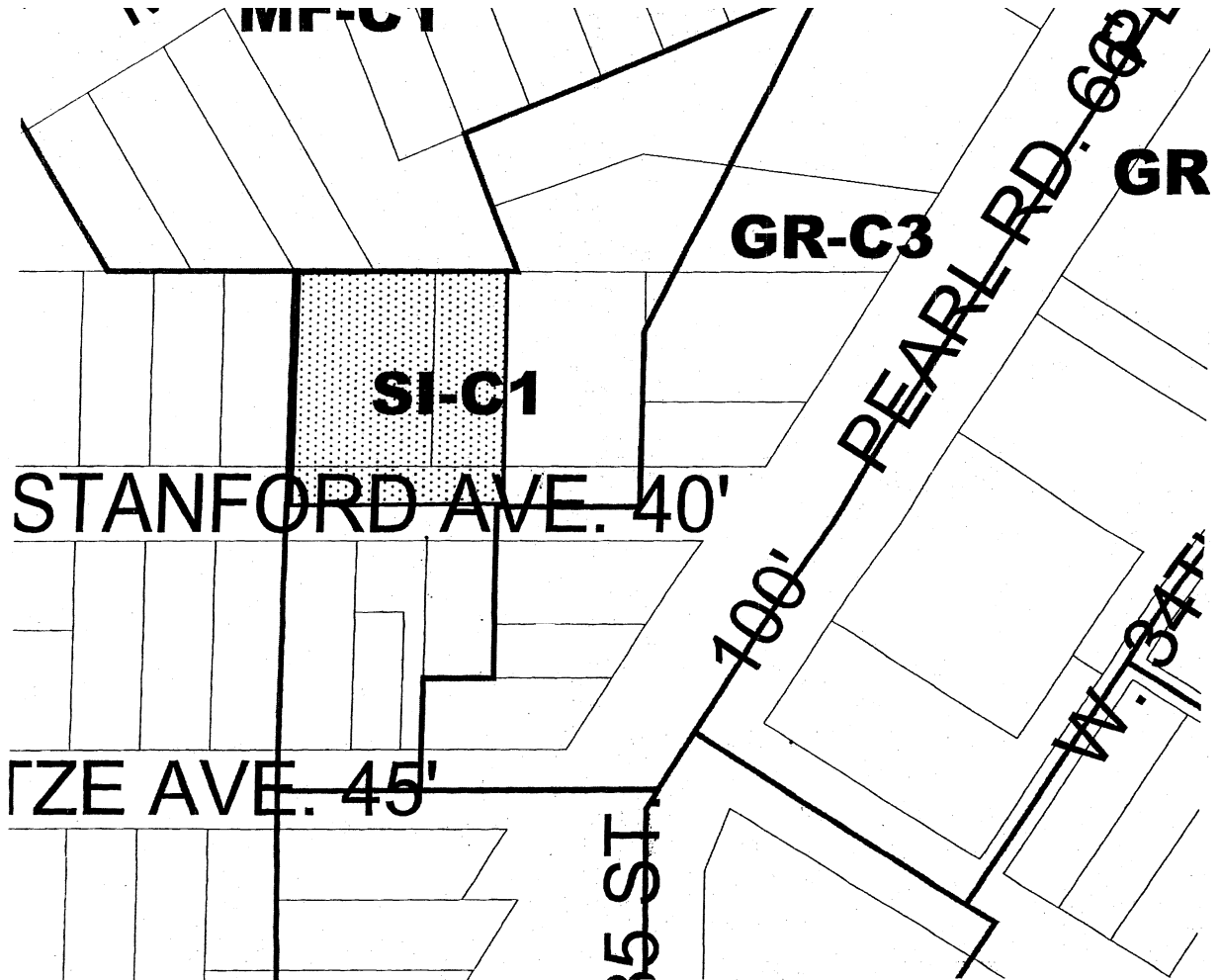
Thence Southerly along the Easterly line and Southerly prolongation of said Sublot No. 6 of said Subdivision to its Intersection with the Centerline of Stanford Avenue, as aforesaid;

Thence Westerly along the Centerline of said Stanford Avenue to the place of beginning, and as outlined and shaded on the attached map is changed to a Two-Family Residential Use District and a "B" Area District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2137, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

**Proposal to rezone parcels on the north side of Stanford Avenue from a Semi-Industry Use District to a Two-Family Residential Use District and from a "C" Area to a "B" Area (Map Change No. 2137, Sheet No. 2)**



Passed September 20, 2004.  
Effective October 30, 2004.

**Ord. No. 1524-04.**

**By Council Member Gordon.**

**An ordinance to change the zoning of two parcels at the northwest corner of Pearl and Krather Roads from a Two-Family Residential Use District to a Parking District (Map Change No. 2136 Sheet No. 2)**

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

**Section 1.** That the Use District of lands bounded and described as follows:

Beginning on the Centerline of Krather Road (40 feet wide) at its Intersection with the Southwesterly prolongation of the Northwesterly line of Sublot No. 14 of Henry Krather's Allotment, as shown by the recorded plat in Volume 25, Page 17 of the Cuyahoga County Records;

Thence Northeasterly along the Southwesterly prolongation and Northwesterly line of said Sublot No. 14 to the Northwesterly corner thereof;

Thence Southeasterly along the Northeasterly line and Northeasterly prolongation of Sublot Nos. 14 and 15 of said Allotment to its Intersection with the Centerline of a nameless alley abutting said Sublot No. 15 of said Allotment;

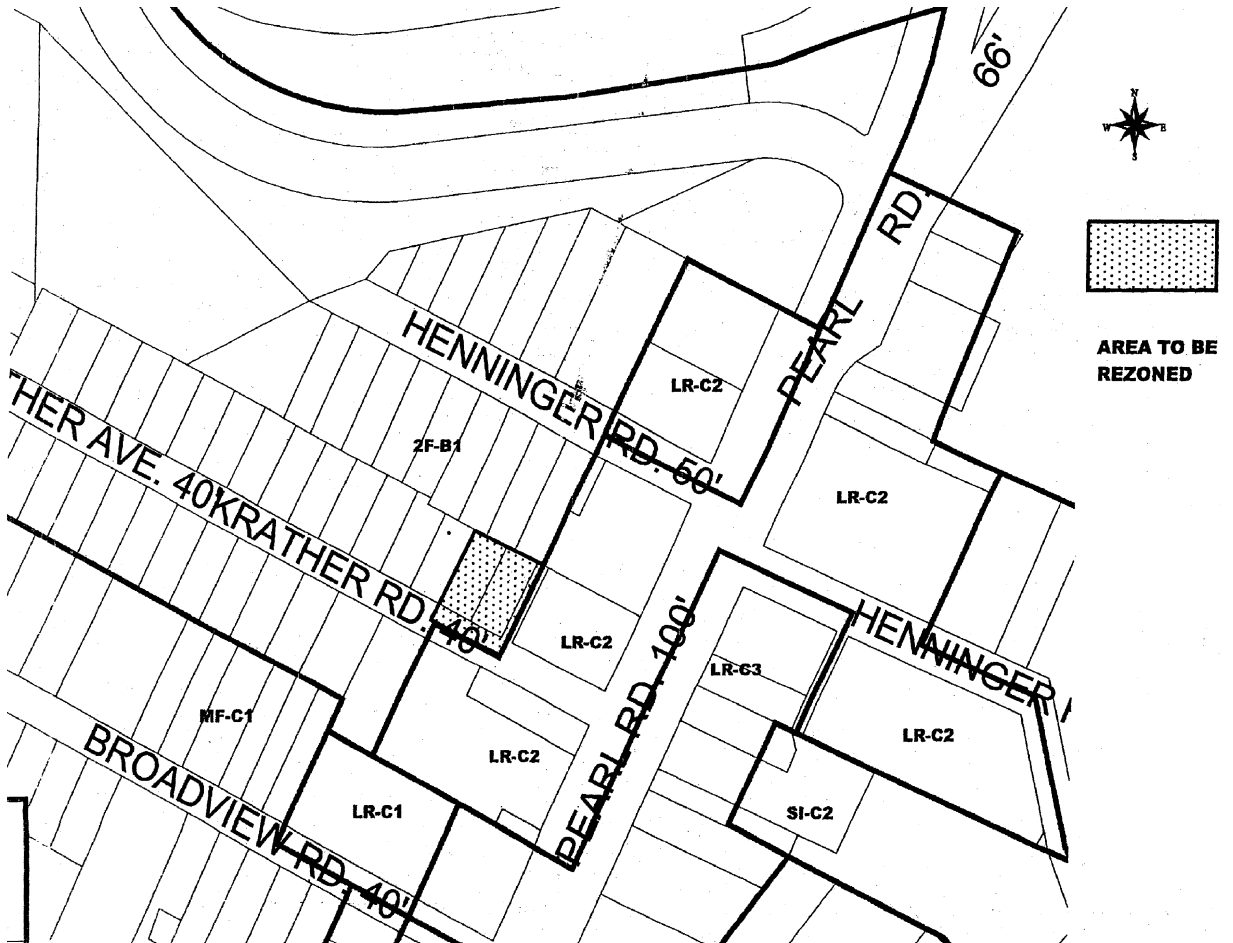
Thence Southwesterly along the Centerline of said nameless alley to its Intersection with the Centerline of Krather Road, as aforesaid;

Thence Northwesterly along the Centerline of said Krather Road to the place of beginning, and as outlined and shaded on the attached map is changed to a Parking District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2136, Sheet No. 2 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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

**Proposal to change the zoning of two parcels on the northwest corner of Pearl and Krather Roads from a Two-Family Residential Use District to a Parking District (Map Change No. 2136, Sheet No. 2)**



Passed September 20, 2004.  
Effective October 30, 2004.



**Ord. No. 1774-04.****By Council Member Jackson.****An emergency ordinance authorizing certain persons to engage in peddling in Ward 5. (Seti Martinez)**

Whereas, pursuant to Section 675.08 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the requests of certain persons to engage in peddling outside of the Central Business District, and has determined that it is in the public interest to allow each of said persons to peddle in Ward 5; and

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

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

**Section 1.** That this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow each persons named below to engage in peddling in the public rights of way of Ward 5: Seti Martinez.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted may be revoked at any time by this Council.

**Section 4.** That this ordinance is 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 September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1777-04.****By Council Member Cimperman.****An emergency ordinance consenting and approving the issuance of a permit for the 27th Annual Walk for Disabilities, on October 2, 2004, sponsored by the Disability Services and Disability Ministries of Catholic Charities Services.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 27th Annual Walk for Disabilities sponsored by the Disability Services and Disability Ministries of Catholic Charities Services, on October 2, 2004, with the Walk beginning at OLA/St. Joseph Center parking lot on Kenilworth,

head east on Kenilworth to West 11th Street, turn right on West 11th to Starkweather, turn right on Starkweather to West 14th Street, turn right on West 14th to Kenilworth, turn right on Kenilworth to West 11th, turn left onto West 11th and walk to University Road, turn right on to University and walk to West 10th Street, turn right on to West 10th and walk to stop sign, veer left on to Professor Avenue — staying on the right hand side of the street and walk to Jefferson, turn right on to Jefferson and walk to Starkweather — cross West 14th Street to the west side of West 14th, turn right on to West 14th Street — cross Kenilworth and return to OLA/St. Joseph Center on the left, 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 September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1778-04.****By Council Member Lewis.****An emergency ordinance amending the Title and Section 1 of Ordinance No. 789-04 passed May 3, 2004 as it pertains to authorizing the Director of Community Development to enter into an agreement with The Consortium For Economic Community Development for Hough/Ward 7 for the New Day in Hough Food Distribution Program through the use of Ward 7 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Title and Section 1 of Ordinance No. 789-04 passed May 3, 2004 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of Community Development to enter into agreement with The Consortium For Economic Community Development for Hough/Ward 7 for the New Day in Hough Food Distribution Program through the use of Ward 7 Neighborhood Equity Funds.

**Section 1.** That the Director of Community Development is authorized to enter into an agreement with The Consortium For Economic Community Development for Hough/Ward 7 for the New Day in Hough Food Distribution Program for the public purpose of providing food for low income Cleveland residents through the use of Ward 7 Neighborhood Equity Funds.

**Section 2.** That the Title and Section 1 of Ordinance No. 789-04 passed May 3, 2004 are hereby repealed.

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

Passed September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1779-04.****By Council Member Pierce-Scott.****An emergency ordinance authorizing the Director of Community Development to amend an existing contract with the Cleveland Church of Christ Economic Development, Inc. for the Community Parenting Program through the use of Ward 8 Neighborhood Equity Funds.**

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 authorized to amend the existing contract with the Cleveland Church of Christ Economic Development, Inc. to add funds for the Community Parenting Program for the public purpose of providing parenting support and education for families residing in the City of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

**Section 2.** That the additional funds for the contract shall be in an amount not to exceed \$11,500 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**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 September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1780-04.****By Council Member Pierce-Scott.**

**An emergency ordinance authorizing the Director of City Planning Commission to enter into an agreement with St. Clair Superior Neighborhood Development Association for Neighborhood Planning and Business Redevelopment Plan through the use of Ward 8 Neighborhood Equity Funds.**

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 City Planning Commission is authorized to enter into an agreement with St. Clair Superior Neighborhood Development Association for the Neighborhood Planning and Business Redevelopment Plan for the public purpose of decreasing blight and housing vacancies in the City of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$20,000 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**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 September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1781-04.****By Council Member Pierce Scott.**

**An emergency ordinance authorizing the Director of Parks, Recreation and Properties to amend an existing contract with the Garret Square Development Corporation for the Glenville Titans Football Program through the use of Ward 8 Neighborhood Equity Funds.**

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 to amend the existing contract with the Garret Square Development Corporation to add funds for the Glenville Titans Football Program for the public purpose of providing recreational activities to Cleveland youth residing in the City of Cleveland through the use of Ward 8 Neighborhood Equity Funds.

**Section 2.** That the additional funds for the contract shall be in an amount not to exceed \$2,500 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**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 September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1782-04.****By Council Member Reed.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Murtis H. Taylor Multi-Services Center for the Glenville Community Support Program through the use of Ward 3 Neighborhood Equity Funds.**

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 authorized to enter into an agreement with the Murtis H. Taylor Multi-Services Center for the Glenville Community Support Program for the public purpose of providing behavioral counseling services to youth residing in the City of Cleveland through the use of Ward 3 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$9,022 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**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 September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1783-04.****By Council Member Reed.**

**An emergency ordinance to amend Section 2 of Ordinance No. 1205-04, passed June 16, 2004 as it pertains to authorizing the Director of Community Development to enter into a grant agreement with the Thea Bowman Center for their Mt. Pleasant Community Orchestra program through the use of Ward 3 Neighborhood Equity Funds.**

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 of Ordinance No. 1205-04, passed June 16, 2004 is hereby amended to read as follows:

Section 2. That the cost of said contract shall be in an amount not to exceed \$42,000 and shall be paid from Fund No. 10 SF 166.

**Section 2.** That Section 2 of Ordinance No. 1205-04, passed June 16, 2004 is hereby repealed.

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

Passed September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1784-04.****By Council Members Reed and White.**

**An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the New Cleveland Food Basket for Food Program for Needy Residents through the use of Wards 2 and 3 Neighborhood Equity Funds.**

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 authorized to enter into an agreement with the New Cleveland Food Basket for the Food Program for Needy Residents for the public purpose of providing food to low income Cleveland residents through the use of Wards 2 and 3 Neighborhood Equity Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$32,000 and shall be paid from Fund No. 10 SF 166.

**Section 3.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**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 September 20, 2004.

Effective September 23, 2004.

**Ord. No. 1785-04.**  
**By Council Member Pierce Scott.**  
**An emergency ordinance consenting and approving the issuance of a permit for the OROC 5K & 1 Mile Walk, on September 25, 2004, scheduled by Hermes Sports & Events.**

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 OROC 5K & 1 Mile Walk, scheduled by Hermes Sports & Events, on September 25, 2004, beginning at Wade Oval & Jepta, Wade Oval to East Blvd., East Blvd., to MLK, MLK to Turn Around at Ansel Road Ramp, return same route to finish, provided that the applicant sponsor shall meet all

the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police 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 September 20, 2004.  
Effective September 23, 2004.

**COUNCIL COMMITTEE MEETINGS**

**Tuesday, September 28, 2004  
9:30 a.m.**

**Community and Economic Development Committee:** Present in CDED: Gordon, Chair; Cintron, Coats, Lewis, Pierce Scott, Zone, Reed. *Authorized Absence:* Cimperman, Vice Chair; Jones.

**Wednesday, September 29, 2004  
1:30 p.m.**

**City Planning (Zoning) Committee:** Present in Planning: Cimperman, Chair; Rybka, Vice Chair; Pierce Scott, Westbrook. *Authorized Absence:* Conwell, Lewis, O'Malley.

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