

The City Record

Official Publication of the Council of the City of Cleveland



September the Eighth, 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

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www.clevelandcitycouncil.org

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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 – _____, 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 – _____, 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 Bahur, 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 – Randall T. Scott, Commissioner, Room 25
Traffic Engineering – Robert Mavee, 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
Corrections – 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. Lohn, 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;

Margaret 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 Leohr, 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. Triozzi	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 8, 2004

No. 4735

CITY COUNCIL

MONDAY, SEPTEMBER 6, 2004

The City Record

Published weekly by the City Clerk,
Clerk of Council under authority
of the Charter of the
City of Cleveland

The City Record is available
online at

www.clevelandcitycouncil.org

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

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

September 1, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 1, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Act-

ing Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Absent: None.

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. 488-04.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 1949-01, passed by the Council of the City of Cleveland on February 11, 2002, Xitech of Ohio, LLC is hereby selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities, as the firm to be employed by contract for professional services to provide troubleshooting monitoring, configuration and programming support for network and interface equipment, for the Division of Water, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with Xitech of Ohio, LLC based upon its proposal dated April 11, 2003, as revised by its letter dated July 14, 2004, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as contained in said proposal, for an aggregate fee not in excess of \$425,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Xitech of Ohio, LLC for the above mentioned professional service is hereby approved:

<u>SUBCONTRACTOR</u>	<u>PERCENTAGE WORK</u>
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Broma Information Technologies (MBE)	28.51% \$121,200.00
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Yeas: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 489-04.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Schindler Elevator Corporation for an estimated quantity of labor and material to maintain and repair various freight elevators, all items, for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 16th day of June 2004, pursuant to the authority of Ordinance No. 2102-2000, passed March 19, 2001 on the basis of the estimated quantity would amount to Sixty Six Thousand Seventy Two and no/100 Dollars (\$66,072.00), (Net 30 Days), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 153171 which shall be certified against such contract in the sum of Thirty Thousand and no/100 Dollars (\$30,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for such commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against said contract and as does not together with all other contracts entered into under the ordinance authority, exceed \$150,000.00.

Yeas: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 490-04.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Hertz Equipment Rental Corporation, except for such terms and conditions as are not acceptable to the Director of Law, for an estimated quantity of repair parts for pumps, saws and small engines (Items 1, 3-5), 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 16th day of April, 2004, pursuant to the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to Eighty Six Thousand Dollars and 00/100 Cents (\$86,000.00) (Net 30), 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. 148204

which shall be certified against such contract in the sum of Forty Thousand Dollars and 00/100 Cents (\$40,000.00).

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, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 491-04.

By Director Mok.

Whereas, Acordia, a Wells Fargo Company, wishes to utilize the 2nd Floor Banquet Room at Burke Lakefront Airport (the "Airport") for the "Event") to be held on September 4, 2004;

Whereas, the City is willing to grant Acordia the privilege, permit and license to conduct the Event at the Airport; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that under Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of the Department of Port Control is authorized to enter into an agreement (the "Agreement") granting Acordia, a Wells Fargo Company, the privilege, permit and license to conduct the Event in the 2nd Floor Banquet Room at Burke Lakefront Airport from 8:00 a.m. to 4:00 p.m. on September 4, 2004, and to use and occupy the room for such period of time before and after the Event as necessary for preparation and clean-up. Acordia shall pay the City a \$905.64 fee for the Event, and shall be responsible at its expense for providing traffic control, security and clean-up.

Be it further resolved that the Director of Law shall prepare the Agreement authorized and shall include such other provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 492-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 253-04, passed by the Council of the City of Cleveland on March 29, 2004, SchmidtCopelandParkerStevens is selected from a list of firms determined after a full and complete canvass by the Director of City Planning as the firm to be employed by contract for professional services necessary for the study of transportation and design issues and performance of preliminary engineering of the area of Fleet Avenue between Independence Road and East 65th Street.

Be it further resolved that the Director of City Planning is authorized to enter into contract with SchmidtCopelandParkerStevens based on its proposal dated April 1, 2004, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as contained in said proposal for an aggregate fee of Eighty-Four Thousand, One Hundred and 00/100 Dollars (\$84,100.00), and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by SchmidtCopelandParkerStevens for the contract authorized above is approved:

DLZ Ohio, Inc.
(MBE) — \$13,800

Studio Graphique, Inc.
(FBE) — \$4,240

Environmental Design Group, Inc.
\$32,500

Applied Construction
Technologies, Inc.
\$6,300

Yeas: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 493-04.

By Director Ricchiuto.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Crown Cleaning Systems and Supply Inc. for shop and diagnostic equipment, item 1, for the Division of Motor Vehicle Maintenance, Department of Public Service, received on June 17, 2004, pursuant to the authority of Ordinance No. 1424-02, passed by the Council of the City of Cleveland on July 17, 2002, which on the basis of the order quantity would amount to Eleven Thousand Nine Hundred Ninety Two and 50/100 Dollars (\$11,992.50) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a contract for such items.

Yeas: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

Resolution No. 494-04.

By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. DiLillo & Company for the public improvement of Davinwood Park Playground Improvements, for Base Bid Items #1 - #34, #41 - #64 and Alternate Items #A7 - #A12 including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on June 2, 2004, pursuant to the authority of Ordinance No. 1424-02, passed by the Council of the City of Cleveland on July 17, 2002, which on the basis of the order quantity would amount to Eleven Thousand Nine Hundred Ninety Two and 50/100 Dollars (\$11,992.50) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a contract for such items.

Yeas: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

nance No. 1114-02 and Ordinance No. 2151-03, passed on June 17, 2002 and December 15, 2003, upon a unit basis for the improvement in the aggregate amount of Two Hundred Fifty Thousand Six Hundred Four and 55/100 Dollars (\$250,604.55), is hereby affirmed and approved as the lowest responsible bid; and the Director of Department of Parks, Recreation & Properties is hereby 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 R. DiLillo & Company for the aforementioned public improvement hereby is approved:

<u>SUBCONTRACTORS</u>	<u>AMOUNT PERCENTAGE</u>
Carrick Landscaping	\$23,600.00 9.42%
McTech Corporation (MBE)	\$15,000.00 5.99%
Barrow Sign (FBE)	\$ 5,350.00 2.13%
Great Northern Fence	\$ 3,380.00 1.35%

Yeas: Mayor Campbell, Acting Director Horvath, Directors Baker, Ciaccia, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Acting Director Brown, Directors Huth, Fumich, Taylor and Williams.

Nays: None.
Absent: None.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 20, 2004

9:30 A.M.

Calendar No. 04-202: 1215 East 82nd Street (Ward 7)

Kimberly Capers, owners, appeals to erect an 18' x 23' one and a half story room addition to the rear of an existing 23' x 28' two-story single family dwelling and a 26' x 26' one-story frame garage, all situated on a 33' x 76' parcel in a Two-Family District on the east side of East 82nd Street at 1215 East 82nd Street; subject to Section 327.02, a lot consolidation approved by the Division of Engineering and Construction is required; and contrary to Sections 337.23(a) and 337.23(a)(7), an accessory garage shall not be less than 10' from a main building on an adjoining lot and 676 s/f is provided, where the maximum allowable gross floor area is 668 s/f; and contrary to Section 357.08 of the Yards and Courts Requirements, a rear yard depth of 10.3' is provided where 20' is required for the room addition and deck and a minimum interior side yard of 2' is provided where a 3' minimum interior side yard is required as stated in Section 357.09(2)(b) of the Codified Ordinances.

Calendar No. 04-203: 3621 East 54th Street (Ward 12)

Chana Newman, owner, and Investment Realty Group, agent, appeal to change the use of an existing garage to one dwelling unit and to convert the existing two dwelling unit located in the front of the garage to one dwelling unit, all situated on a 35' x 120' lot in a Two-Family District on the east side of East 54th Street at 3621 East 54th Street; subject to the limitations of Section 349.05 of the Off-Street Parking and Loading Requirements, no parking spaces shall be located less than 10' from any wall of a residential building containing ground floor openings; and contrary to Section 355.05(b) for Area Requirements, the minimum floor area provided for the rear building is 696 s/f and 950 s/f is required and the lot area is 4,100 s/f and 35' wide, where an existing lot of record shall not be less than 4,800 s/f and be a minimum of 40' wide; and contrary to Section 357.08(2)(b)(1), a 2' rear yard is provided where 20' is required, and 6' for interior side yards is provided, where a total of 10' is required in Section 357.09(2)A; and a distance of 36' is provided where a 40' distance is required between a residence building erected in the rear of a main building as stated in Section 357.15(a) of the Codified Ordinances.

Calendar No. 04-204: 2927 Bridge Avenue (Ward 14)

The 2927 Bridge Ltd., owner, and Argile Jani, tenant, appeal to use the second floor to expand the occupancy and use of an existing, non-conforming restaurant in a 22' x 47' 6" two-story masonry building, situated on a 29' x 72' 6" corner lot

in a B1 Two-Family District on the southeast corner of West 30th Street and Bridge Avenue at 2927 Bridge Avenue; the proposed use being subject to the residential limitations of Section 337.03, where a restaurant is not a permitted use; and contrary to Section 349.04(f) of the Off-Street Parking and Loading Requirements, no accessory off-street parking is provided; and the new use expansion requires 1 parking space per 4 seats or an additional 11 off-street parking spaces to accommodate 43 seats; and the expansion of a non-conforming use requires the Board of Zoning Appeals approval, as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 04-205: 3500 Woodland Avenue (Ward 5)

Neal Desatnik, owner, appeals to erect an 84 s/f, 25' high, free-standing sign in the employee parking lot on the east side of an existing building, situated on an acreage parcel in a Semi-Industry District on the south side of Woodland Avenue at 3500 Woodland Avenue; subject to the limitations of Section 350.15(b) of the Sign Regulations for Industrial Districts, an 84 s/f free-standing sign is proposed and 50 s/f is the maximum square footage allowed; and Section 350.15(c) requires that a free-standing sign must be 5' from the side and rear lot lines and 3' away from the street right-of-way; and no site plan was submitted to show the property lines, location of the sign and the distance of its location from the property lines as required in Section 350.04(c) of the Codified Ordinances.

Calendar No. 04-208: 5001 Bridge Avenue (Ward 17)

Victor and Sonia Sanchez, owners, appeal to erect a 12' x 15' one-story frame, open deck, second story porch that is 13' 6" high, to the rear of an existing two-story frame, two family dwelling house, situated on a 26' x 60' corner lot in a B1 Two-Family District on the southwest corner of Bridge Avenue and West 50th Street at 5001 Bridge Avenue; contrary to Section 357.05 of the Regulations for Side Street Yards, a distance of 7' 6" is provided, where on the rear third of a corner lot, when the rear lot line abuts a Residence District, the building line shall not be a distance of less than 10' from the side street line; and contrary to Section 357.08, a 3' rear yard is provided where 20' is required and a 4' 2" interior side yard is provided, where no building shall be erected less than 10' from a main building on an adjoining lot in a Residence District, as stated in Section 357.09 of the Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, SEPTEMBER 7, 2004

At the meeting of the Board of Zoning Appeals on Tuesday, September 7, 2004, the following appeals were heard by the Board:

The following appeals were **Approved**:

Calendar No. 04-192: 10710 Wade Park Avenue

Ralland Miller appealed to erect a 30' x 42' wolmanized wooden deck to the rear of a one family dwelling in a Limited One Family District.

Calendar No. 04-194: 515 Euclid Avenue

OSF Properties appealed o construct a 34,944 s/f, 10-story parking garage in a General Retail Business District.

Calendar No. 04-198: 3817 Martin Luther King, Jr. Drive

The Cleveland Municipal School District appealed to erect a 225,688 s/f, three-story public high school in a Two-Family District.

The following appeal was **Denied**:

Calendar No. 04-190: 14211-35 Kinsman Road

Tarmee LLC appealed to construct a 3,500 s/f retail store and gas station in a Local Retail Business District.

The following appeal was **Withdrawn**:

Calendar No. 04-195: 1400 Brookpark Road

Udelson Brookpark Ltd. appealed to establish use as a used car sales lot in General Industry and Semi-Industry Districts.

The following appeal was **Postponed**:

Calendar No. 04-193: 2487 West 25th Street postponed to October 11, 2004.

In Executive Session on September 7, 2004, the following appeals heard by the Board on August 30, 2004 were adopted or approved.

The following appeals were **Approved**:

None.

The following appeals were **Denied**:

Calendar No. 04-185: 1811 West Schaaf Road

Lynette Zieminski Filips appealed to erect a two-story garage addition to the rear of a two-story one family dwelling in a One-Family District.

Calendar No. 04-186: 4904 Pearl Road

Joseph Lanigan appealed to erect a two-story shed for storage of construction equipment in a Local Retail Business District.

Calendar No. 04-191: 5907 Biddulph Avenue

William Georgeson appealed to erect a 46' x 22' two-story garage with a 22' x 16' deck and stairs system in the rear yard of a one family dwelling in a Two-Family District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Wednesday, September 15, 2004
1:30 P.M.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a Public Hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, September 15, 2004, at 1:30 p.m., to consider the following ordinances now pending in the Council:

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)

Ord. No. 1357-04.

By Council Member Gordon.

An ordinance to change the zoning of a parcel of land at the corner of Broadview Road and West 22nd Street from a One-Family Residential Use District to a Local Retail Business Use District and from an "A" Area District to a "C" Area District (Map Change No. 2133, Sheet No. 2)

Ord. No. 1521-04.

By Council Member Cimperman.

An ordinance changing the zoning of the rear portion of parcels located along an unnamed alley 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)

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)

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)

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)

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

JOSEPH C. CIMPERMAN
Chairman
Committee on City Planning

September 1, 2004 and September 8, 2004

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, SEPTEMBER 15, 2004

Constructing and Repairing Catch Basins and Manholes at Various Locations Throughout the City, for the Division of Water Pollution Control, Department of Pub-

lic 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 **NON-MANDATORY PRE-BID MEETING**, FRIDAY, SEPTEMBER 10, 2004, AT 10:30 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

September 1, 2004 and September 8, 2004

FRIDAY, SEPTEMBER 17, 2004

Concrete Pavement Repair/Replacement at Fire Station No. 4, 9, 10, and 31, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 838-02, passed by the Council of the City of Cleveland, June 10, 2002.

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, SEPTEMBER 9, 2004 AT 10:00 A.M., FIRE STATION NO. 10, 1935 E. 101ST, CLEVELAND, OHIO 44106.

Group VI Copiers, for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 1682-03, passed by the Council of the City of Cleveland, September 22, 2003.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, SEPTEMBER 10, 2004 AT 10:00 A.M., DIVISION OF PRINTING AND REPRODUCTION, 1735 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 1, 2004 and September 8, 2004

WEDNESDAY, SEPTEMBER 22, 2004

Construction of the Employee Parking Lot and Related Facilities at the Riveredge Site, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 912-2000, passed by the Council of the City of Cleveland, July 18, 2001.

THERE WILL BE A **MANDATORY PRE-BID MEETING** TUESDAY, SEPTEMBER 14, 2004 AT 2:00 P.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL ENGINEERING BUILDING, 19501 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

September 1, 2004 and September 8, 2004

THURSDAY, SEPTEMBER 23, 2004

City Hall Improvement — Interior Alterations City Planning/Landmarks, for the Division of Architecture, Department of Public Service, as authorized by Ordinance No. 835-02, passed by the Council of the City of Cleveland, June 3, 2002.

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, SEPTEMBER 9, 2004, AT 2:00 P.M., DIVISION OF ARCHITECTURE, ROOM 517, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 1, 2004 and September 8, 2004

WEDNESDAY, SEPTEMBER 29, 2004

Euclid Avenue Water Main Replacement Phase II and III (re-bid), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2451-02 and 2307-03, passed by the Council of the City of Cleveland, April 14, 2003 and November 24, 2003.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS** IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, WEDNESDAY, SEPTEMBER 8, 2004, AT 9:00 A.M., CARL B. STOKES, PUBLIC UTILITIES BUILDING, AUDITORIUM — 1st FLOOR, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 1, 2004 and September 8, 2004

WEDNESDAY, SEPTEMBER 22, 2004

Wireless Data Device Services, for the Division of Information Technology and Services, Department of Finance, as authorized by Ordinance No. 2224-03, passed by the Council of the City of Cleveland, December 15, 2003, amending Ordinance No. 1714-02, passed by the Council of the City of Cleveland, September 16, 2002.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, SEPTEMBER 16, 2004, AT 10:30 A.M., INFORMATION TECHNOLOGY & SERVICES, CONFERENCE ROOM, 205 ST. CLAIR AVENUE, CLEVELAND, OHIO 44113.

Manholes, Castings and Covers, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1257-04, passed by the Council of the City of Cleveland, August 11, 2004.

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 16, 2004 AT 11:00 A.M., INFORMATION TECHNOLOGY & SERVICES, CONFERENCE

ROOM, 205 ST. CLAIR AVENUE, CLEVELAND, OHIO 44113.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

Fiber Optic Cable and Hardware, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1257-04, passed by the Council of the City of Cleveland, August 11, 2004.

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 16, 2004 AT 11:30 A.M., INFORMATION TECHNOLOGY & SERVICES, CONFERENCE ROOM, 205 ST. CLAIR AVENUE, CLEVELAND, OHIO 44113.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

PVC Conduit, Fittings and Accessories, for the various divisions of City Government, Department of Finance, as authorized by Ordinance No. 1257-04, passed by the Council of the City of Cleveland, August 11, 2004.

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, SEPTEMBER 16, 2004 AT 12:00 P.M., INFORMATION TECHNOLOGY & SERVICES, CONFERENCE ROOM, 205 ST. CLAIR AVENUE, CLEVELAND, OHIO 44113.

THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

September 8, 2004 and September 15, 2004

THURSDAY, SEPTEMBER 23, 2004

Purchase of New Tires, for the Division of Motor Vehicles Maintenance, Department of Public Service, as authorized by Ordinance No. 1970-03, passed by the Council of the City of Cleveland, October 27, 2003.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, SEPTEMBER 16, 2004, AT 3:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

September 8, 2004 and September 15, 2004

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Labor & Materials Necessary to Repair or Replace Fire Hydrants and Appurtenances (Area A), for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1002-03, passed by the Council of the City of Cleveland, June 10, 2003.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, SEPTEMBER 16, 2004, AT 2:00 P.M., DIVISION OF WATER — DISTRIBUTION & MAINTENANCE, 2ND FLOOR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

September 8, 2004 and September 15, 2004

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Manholes, Castings, Pullboxes and Grating, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26, of the Codified Ordinances of Cleveland, Ohio, 1976.
 THERE WILL BE A **MANDATORY** PRE-BID MEETING WEDNESDAY,

SEPTEMBER 22, 2004 AT 10:00 A.M., CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.
THE CITY WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

 September 8, 2004 and September 15, 2004

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NONE

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O—Ordinance; R—Resolution; F—File
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Zoning

Broadview Rd. & W. 22nd St. (corner) — change the zoning — Local Retail Business Use District — “C” Area District (O 1357-04)	1782
Buckeye Rd. (north & south) between E. 116th & E. 124th Sts. — Pedestrian Retail Overlay (PRO) District (O 1042-04).....	1782
Pearl and Krather Rds. (southwest corner) — change the zoning — Parking District (O 1524-04).....	1782
Stanford Ave. (near Pearl Rd.) — change the zoning — Two-Family Residential Use District — “B” Area District (O 1523-04).....	1782
University Rd., W. 14th St. & Crown Ave. (land bounded by) — change the zoning — General Retail Business Use District (O 1522-04).....	1782