

AKRON, OHIO COUNCIL AGENDA FOR JANUARY 30, 2012

Regular Meeting-All members present. Minutes of the previous regular meeting read and approved.

CONSENT AGENDA

(1) Ordinance approving the sale of City-owned land to Doretha McDonald; determining said property is not needed for public use; and declaring an emergency. **(PLANNING)**

(2) Ordinance approving the sale of City-owned land to Frank A. Andrews III; determining said property is not needed for public use; and declaring an emergency. **(PLANNING)**

(3) Ordinance accepting conveyance(s) by deed of estates in fee simple of property in the City of Akron, for the Summit/Dudley Demonstration Program project; authorizing payment therefore; and declaring an emergency. **(PLANNING)**

(4) Ordinance authorizing the Director of Public Service to enter into a contract with the County of Summit for the City 2012 construction seal and crack fill program; and declaring an emergency. **(PUBLIC SERVICE)**

(5) Ordinance authorizing the Director of Public Service to enter into a contract, after publicly advertising for bids, for the replacement of water mains in existing service areas; approving specifications therefore; and declaring an emergency. **(PUBLIC UTILITIES)**

(6) Ordinance authorizing the Mayor to file an application and enter into an agreement with the Ohio Environmental Protection Agency for a loan from the Water Supply Revolving Loan Fund to fund the 2011 Water Main Replacement Program; and declaring an emergency. **(PUBLIC UTILITIES)**

(7) Ordinance approving the recommendations of the Tax Incentive Review Councils regarding the continuation, modification and/or cancellation of the tax increment financing agreements in the City of Akron; and declaring an emergency. **(ECONOMIC DEV. & JOB CREATION)**

(8) Ordinance approving the sale of City-owned land located at 800 Dayton Street (Parcel No. 6805360) to Mohammed Zookari; determining said property is not needed for public use; and declaring an emergency. **(PLANNING)**

(9) Ordinance approving the sale of City-owned land located at 535 Akins Court (Parcel No. 6740887) to Bogdan Tudorache; determining said property is not needed for public use; and declaring an emergency. **(PLANNING)**

(10) Ordinance authorizing the purchase of property located at Vincent Street and 1252 Lakeshore Boulevard in the City of Akron, for the Summit Lake Rec Area project; authorizing payment therefore; and declaring an emergency. **(PLANNING)**

(11) Ordinance authorizing the purchase of property located at 978 Marion Place in the City of Akron, for the Summit/Dudley Demonstration Program; authorizing payment therefore; and declaring an emergency. **(PLANNING)**

(12) Ordinance authorizing the Mayor to file an application and enter into an agreement for funding or airport improvements through the Federal Aviation Administration's Airport Improvement Grant Program; authorizing the expenditure of local matching funds; and declaring an emergency. **(PUBLIC SERVICE)**

(13) Ordinance authorizing the Purchasing Agent to enter into a contract, after publicly advertising for bids, for ventilation work to The Harold K. Stubbs Justice Center garage; approving specifications therefore; and declaring an emergency. **(PUBLIC SERVICE)**

(14) Ordinance authorizing the Director of Public Service to enter into a contract with Red Zone Robotics for inspection and maintenance services, including replacement parts, of telemonitoring cameras used in operating the City's sewer system; authorizing payment therefore; and declaring an emergency. **(PUBLIC UTILITIES)**

RULES
(J. FUSCO, CHAIRMAN)

NO ITEMS

BUDGET AND FINANCE
(G. MONEYPENNY, CHAIRMAN)

NO ITEMS

PLANNING
(J. FUSCO, CHAIRMAN)

UP FOR PUBLIC HEARING JANUARY 30, 2012:

(1) Ordinance authorizing a Conditional Use to expand a salvage yard on the south side of Kenmore Boulevard, west of Princeton Street; and declaring an emergency. (D-327) (01/09/12)

(2) Ordinance authorizing a Conditional Use to construct a garage addition at 1322 Hardesty Boulevard; and declaring an emergency. (D-329) (01/09/12)

FIRST READING AND REFERRED – UP FOR PUBLIC HEARING FEBRUARY 6, 2012:

(3) Resolution adopting the 2012 Capital Investment and Community Development Program, also known as the Capital Investment Budget; and declaring an emergency. (D-331) (01/23/12)

(4) Ordinance authorizing an amendment to the 2011 Consolidated Plan and Community Development/HOME Program to authorize the United States Department of Housing and Urban Development Section 108 Loan application for the Highland Square Grocery Development; authorizing the Director of Planning and Urban Development to enter into all necessary agreements for the operation and term of the activities; and declaring an emergency. (01/23/12)

FIRST READING AND REFERRED – UP FOR PUBLIC HEARING FEBRUARY 13, 2012:

(5) Ordinance authorizing a Conditional Use to construct an oversized garage at 700 Moody Street; and declaring an emergency. (01/23/12)

(6) Ordinance amending/supplementing Title 15 “Land Usage”, Chapter 153, “Zoning Code”, Section 153.14 “Definitions”, Section 153.285 “Commercial Districts – Class U4”, and Section 153.464 “Uses permitted as conditional uses”, to include definitions for “recycling processing facility” and “refuse”, to permit “recycling processing facility” as a commercial use, and to amend uses permitted as conditional uses; and declaring an emergency. (01/23/12)

TIME:

(7) D-327. Petition of Leonard and Sally Ekus for a Conditional Use to expand a salvage yard on the south side of Kenmore Blvd., west of Princeton Street. (PC-2011-64)(12/19/11)

(8) D-329. Petition of Brenda McIver for a Conditional Use to vary the side and rear yard requirements to construct a garage addition at 1322 Hardesty Blvd. (PC-2011-75) (12/19/11)

(9) D- 331. 2012 Capital Investment & Community Development Program. (12/19/11)

(10) D-328. Petition of OPRS Communities for a Conditional Use to construct an apartment building at 1148 West Market Street, and for Westminster Presbyterian Church to construct a parking lot at 1250 West Exchange Street. (PC-2011-67)(12/19/11)

(11) Ordinance authorizing a Conditional Use to construct a car wash on the north side of East Waterloo Road, east of South Main Street. (D-224) (5/23/11) **(Note: Public Hearing Held 6/13/11. Committee requested Time. Granted: Viva Voce)**

(12) D-224. Petition of Mark Headley for a Conditional Use to construct a car wash on the north side of East Waterloo Road, east of South Main Street. (PC-2011-19)(5/16/11)

(13) D-160. 2011 Capital Investment & Community Development Program. (12/13/10)

(14) D-1. 2011-2015 Capital Investment & Community Development Program. (01/09/12)

FILED:

(15) D-326. Petition of Community Drug Board, Inc., for a Conditional Use to establish a residential in-house treatment facility and administrative offices at 838 Coburn Street. (PC-2011-60)(12/19/11)

(16) D-330. Petition of Pinnacle Recycling, LLC, for a Conditional Use to establish a paper and plastic recycling at 2400 Romig Road (former Sears store) (PC-2011-80)(12/19/11)

**PUBLIC SERVICE
(J. HURLEY, CHAIRMAN)**

TIME:

(1) D-319. One (1) letter objecting to 2012 Street Cleaning/Street Lighting Assessment as per Res. No. 365-2011. (12/5/11)

(2) D-319-1. Four (4) letters objecting to the 2012 Street Cleaning/Street Lighting assessment as per Res. No. 365-2011. (12/12/11)

(3) D-319-2. One (1) letter objecting to 2012 Street Cleaning/Street Lighting Assessment as per Res. No. 365-11. (12/19/11)

(4) D-319-3. One (1) letter objecting to the 2012 Street Cleaning/Street Lighting Assessment per Res. No. 365-2011.

(5) Resolution declaring it necessary to improve Seiberling Way and Eagle Street between certain termini by paving; grading; constructing and reconstructing curbs, concrete sidewalks, driveway approaches, storm sewers, sanitary sewers, sanitary sewer house laterals, water mains and water service connections; installing street lighting; and planting trees; and declaring an emergency. (12/12/11)

**PUBLIC UTILITIES
(K. JONES, CHAIRMAN)**

NO ITEMS

**PUBLIC SAFETY
(M. FREEMAN, CHAIRMAN)**

TIME:

(1) Ordinance amending and/or supplementing Title 7 "Traffic Code", Chapter 77 "Pedestrians", Section 77.09 "Pedestrian soliciting rides or riding on outside of vehicle prohibited", to prohibit soliciting employment, business, donations or contributions through means of spoken, written or printed word or such other acts or bodily gestures within one hundred (100) feet of intersections; and declaring an emergency. (6/20/11) **(NOTE: On June 27, 2011, a substitute ordinance with a similar title was read in)**

(2) D-259. Letter from Buckingham, Doolittle & Burroughs Attorney James S. Simon, who is representing Wilson Crane Service, Inc., dba Wilson's Towing on their request to contractually sell the towing business to Bower's Towing. (7/25/11)

(3) D-296. Letter from Thomas Loepp, Attorney for Wilson's Towing, informing of his intent to file suit against the city to restrain the city from carving up Wilson's towing territory in violation of its contractual rights. (10/17/11)

(4) Ordinance authorizing the Mayor to enter into a contract with Summit County and the Summit County Prosecutor's Office for direct indictment services; authorizing payment therefore; and declaring an emergency. (12/12/11)

**PARKS AND RECREATION
(R. NEAL, CHAIRMAN)**

NO ITEMS:

**HOUSING
(M. FREEMAN, CHAIRMAN)**

NO ITEMS

**HEALTH AND SOCIAL SERVICE
(M. KEITH, CHAIRWOMAN)**

NO ITEMS

**ECONOMIC DEVELOPMENT & JOB CREATION
(L. OMOBIEN, CHAIRWOMAN)**

NO ITEMS

MISCELLANEOUS

FILED: VIVA VOCE. D-29-21. Income Tax Receipts for period ending November 30, 2011 and December 31, 2011.

FILED: VIVA VOCE. D-7. Notice of Transfer of D2, D2X, D3, D3A and D6 liquor permits to The M Bar, 328 S. Main Street, 1st, 2nd fl and basement. (WARD 5)

FILED: VIVA VOCE. D-8. Notice of Stock of D5 liquor permits to Misha Inc., 1700 E. Waterloo Rd. & Patio. (WARD 10)

FILED: VIVA VOCE. D-9. Assessment Equalization Board Report for the 2012 Street Lighting & Cleaning Services per Res. No. 365-2011.

REPRESENTATION FROM VARIOUS DEPARTMENTS AND DIVISIONS:

Rick Merolla, Service Director; Diane Miller-Dawson, Finance Director; Cheri Cunningham; Law Director; Bob Bowman, Deputy Mayor- Economic Development; Stephanie York, Assistant Law Director; Dave Lieberth, Chief of Staff; John Moore, Planning Director; Mike Antenucci, Zoning Manager; Adele Roth, Economic Development Manager; Debbie Forfia, Assistant Law Director.

COMMITTEE MEETINGS

MONDAY,	JANUARY 30, 2012	2:00 P.M.	PUBLIC SERVICE
MONDAY,	JANUARY 30, 2012	2:15 P.M.	PARKS AND RECREATION
MONDAY,	JANUARY 30, 2012	2:30 P.M.	PLANNING
MONDAY,	JANUARY 30, 2012	2:45 P.M.	ECONOMIC DEVELOPMENT AND JOB CREATION
MONDAY,	JANUARY 30, 2012	3:00 P.M.	BUDGET AND FINANCE
MONDAY,	JANUARY 30, 2012	3:15 P.M.	PUBLIC UTILITIES
MONDAY,	JANUARY 30, 2012	3:30 P.M.	PUBLIC SAFETY
MONDAY,	JANUARY 30, 2012	3:45 P.M.	HOUSING

ON MOTION, Council adjourned at 7:49 p.m.

Robert E. Keith
Clerk of Council

ORDINANCES AND RESOLUTIONS PASSED JANUARY 23, 2012

ORD. NO. 3-2012 authorizing a Conditional Use to establish a residential treatment facility for women and administrative offices at 838 Coburn Street; and declaring an emergency.

ORD. NO. 4-2012 authorizing a Conditional Use to establish paper and plastics recycling at 2400 Romig Road; and declaring an emergency.

ORD. NO. 5-2012 directing the appropriation of a fee simple interest in real property owned by Robert Harvey, located at 55 Cambridge Avenue, for the purposes of constructing, maintaining, repairing, enlarging, and reconstructing a sewer or sewers and waterlines for drainage, sewerage and waterline purposes in connection with the Englewood Avenue Sewer Project; and declaring an emergency.

ORD. NO. 6-2012 directing the appropriation of a fee simple interest in real property owned by Dave and Ruth Davis, located at 60 Cambridge Avenue, for the purposes of constructing, maintaining, repairing, enlarging, and reconstructing a sewer or sewers and waterlines for drainage, sewerage and waterline purposes in connection with the Englewood Avenue Sewer Project; and declaring an emergency.

ORD. NO. 7-2012 authorizing the Director of Planning and Urban Development to file an application and enter into an agreement with the State of Ohio for the Homeless Stability Program; and declaring an emergency.

ORD. NO. 8-2012 authorizing the Mayor to enter into an agreement for the 2011 Juvenile Accountability Block Grant funding through the State of Ohio; authorizing the expenditure of local matching funds; and declaring an emergency.

ORD. NO. 9-2012 authorizing the Mayor to enter into an agreement for funding from the 2011 Justice Assistant Grant administered through the State of Ohio to be used towards targeted overtime enforcement; authorizing the expenditure of local funds in support of this grant; and declaring an emergency.