

AKRON, OHIO COUNCIL AGENDA FOR FEBRUARY 14, 2011

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

CONSENT AGENDA

(1) Ordinance authorizing the Director of Public Service to enter into a contract, after publicly advertising for bids, for temporary pavement restoration; approving specifications therefore; and declaring an emergency. **(PUBLIC UTILITIES)**

RULES

(T. MERLITTI, CHAIRPERSON)

NO ITEMS

BUDGET AND FINANCE

(T. MERLITTI, CHAIRPERSON)

NO ITEMS

PLANNING

(J. FUSCO, CHAIRMAN)

UP FOR PUBLIC HEARING FEBRUARY 14, 2011:

(1) Ordinance authorizing a Conditional Use to establish a sports facility at 925 Grant Street; and declaring an emergency. (D-179) (01/24/11)

(2) Ordinance authorizing a Conditional Use to establish a Child Day Care Business Center at 1070 Hazel Street; and declaring an emergency. (D-178) (01/24/11)

TIME:

(3) D-179. Petition of Jeffrey L. Thompson requesting a Conditional Use to establish a sports facility at 925 Grant Street. (PC-2010-66) (01/24/11)

(4) D-178. Petition of Eric Garrett requesting a Conditional Use to establish a child care center at 1070 Hazel Street. (PC-2010-60) (01/24/11)

(5) Resolution adopting the 2011 Capital Investment and Community Development Program, also known as the Capital Investment Budget; and declaring an emergency. (D-160) (01/24/11) **(Note: Public Hearing held 02/07/11. Committee requested Time. Granted: Viva Voce)**

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

(7) D-180. Petition of Family & Community Services, Inc. requesting a Conditional Use to establish transitional housing for homeless veterans on Exeter Road. (PC-2010-67) (01/24/11)

(8) Ordinance amending The Zoning Map by changing the Single Family Residence Use District (U1, H1, A1) Classification and Ordinary Industry Use District (U5, H3, A2) Classification on property at the south end of Vane Avenue to an Apartment House Use District (U2, H3, A1) Classification; and declaring an emergency. (01/10/11) **(Note: Public Hearing held 01/24/11. Committee requested Time. Granted: Viva Voce)**

(9) D-177. Received from Bruce Kilby six (6) petitions containing 162 signatures pursuant to Akron City Charter Section 34(A) registering disapproval of the rezoning of property at the southern terminus of Vane Avenue. (01/24/11)

(10) D-177-1. Letter from Marijean Donofrio, Director, Summit County Board of Elections, verifying the number of valid signatures submitted against PC-2010-56-RZ (Vane Avenue) (01/31/11)

(11) Ordinance authorizing a Conditional Use to establish a three-unit apartment house at 68 Hawthorne Avenue; and declaring an emergency. (D-170) (01/10/11) (**Note: Public Hearing held 01/24/11. Committee requested Time. Granted: Viva Voce**)

(12) D-170. Petition of Laurie Woodford for a Conditional Use to retain a three-unit apartment house at 68 Hawthorne Avenue. (PC-2010-58) (01/10/11)

(13) D-170-1. Letter from Anthony Vacanti, attorney of Laurie Woodford, requesting time for the Public Hearing authorizing a Conditional Use to retain a three-unit apartment house at 68 Hawthorne Ave. (01/24/11)

(14) D-171. 2010-2014 Capital Investment & Community Development Program. (01/10/11)

(15) D-186. Petition of 485 Canton Road, LLC, for a Conditional Use to establish a dog day care, grooming, and boarding business at 485 South Canton Road. (PC-2010-64) (01/31/11)

(16) D-187. Petition of Brian Tebelak for a Conditional Use to retain a carport / oversized garage at 194 Palmetto Ave. (PC-2010-73) (01/31/11)

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

NO ITEMS

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

NO ITEMS

**PUBLIC SAFETY
(K. CRAWFORD, CHAIRPERSON)**

NO ITEMS

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

NO ITEMS

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

NO ITEMS

**HEALTH AND SOCIAL SERVICE
(R. OTTERMAN, CHAIRMAN)**

NO ITEMS

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

NO ITEMS

MISCELLANEOUS

FILED: VIVA VOCE. D-187. One City Sidewalk Program Petition (1777 Thornapple Ave.)

FILED: VIVA VOCE. D-165-1. Notice from the Division of Liquor Control informing Council that a hearing will be held on February 16, 2011 in the Summit County Chambers by video conference regarding the transfer of ownership application of Fuel America, 813 Lovers Lane. (WARD 5)

FILED: VIVA VOCE. D-188. Notice of New C1, C2 liquor permits to Lovers Lane Market, 1034 Lovers Lane. (WARD 5)

FILED: VIVA VOCE. D-189. Notice of New D2 liquor permit to Mi Casa Mexican Restaurant, 352 E. Waterloo Road. (WARD 7)

FILED: VIVA VOCE. D-62-3. 2010 Quarterly Financial Report – Fourth Quarter.

REPRESENTATION FROM VARIOUS DEPARTMENTS AND DIVISIONS:

Dave Lieberth, Deputy Mayor – Administration; Ron Williamson, Deputy Service Director; Cheri Cunningham, Law Director; Brent Hendren, Economic Development; Diane Miller-Dawson, Finance Director; Robert Bowman, Deputy Mayor Economic Development; Mike Antenucci, Zoning Manager; Abraham Wescott, Manager, Development Services; Mark Moore, Capital Planning Manager; Monika Kirabwy, Capital Planning; John Moore, Planning Director.

COMMITTEE MEETINGS

MONDAY,	FEBRUARY 14, 2011	2:00 P.M.	PUBLIC SERVICE
MONDAY,	FEBRUARY 14, 2011	2:30 P.M.	PLANNING
MONDAY,	FEBRUARY 14, 2011	2:45 P.M.	ECONOMIC DEVELOPMENT AND JOB CREATION
MONDAY,	FEBRUARY 14, 2011	3:00 P.M.	BUDGET AND FINANCE
MONDAY,	FEBRUARY 14, 2011	3:15 P.M.	PUBLIC UTILITIES
MONDAY,	FEBRUARY 14, 2011	3:30 P.M.	PUBLIC SAFETY
MONDAY,	FEBRUARY 14, 2011	3:45 P.M.	HOUSING
MONDAY,	FEBRUARY 14, 2011	3:45 P.M.	PARKS AND RECREATION

ON MOTION, Council adjourned at 7:34 p.m.

**Connie Genevish, Deputy
Clerk of Council**

ORDINANCES AND RESOLUTIONS PASSED FEBRUARY 7, 2011

ORD. NO. 22-2011 accepting Various Right-of-Way Document(s) for certain property described below to facilitate the completion of the SUM- Massillon Road Improvement project; authorizing payment therefore; and declaring an emergency.

ORD. NO 23-2011 authorizing the Director of Public Service to enter into a contract, after publicly advertising for bids, for the lighting upgrades to the Morley Parking Garage; approving specifications therefore; and declaring an emergency.

ORD. NO. 24-2011 authorizing the Director of Public Service to enter into a contract, after publicly advertising for bids, for the Akron Water Plant Building Heating System Conversion Phase I Project; approving specifications therefore; and declaring an emergency.

ORD. NO. 25-2011 ratifying the actions of the Director of Public Service in entering into a contract with Belfor Property Restoration for emergency fire restoration services to the Public Works Administration Building 1; authorizing payment therefore; and declaring an emergency.

ORD. NO. 26-2011 authorizing a Conditional Use to construct transitional housing for veterans on the north side of Exeter Road, west of Kelly Avenue.

ORD. NO. 27-2011 accepting Various Right-of-Way Document(s) for certain property described below to facilitate the completion of the Sum-Massillon Road Improvements project; authorizing payment therefore; and declaring an emergency.

RES. NO. 28-2011 declaring the necessity and intent of the City of Akron to appropriate a fee simple interest, permanent sewer easement and temporary easement in certain real property owned by General Street Business Park Ltd., located on Seiberling Street, for the purposes of constructing, reconstructing, making or repairing roads that are open to the public in conjunction with the SUM/Massillon Road project; declaring the necessity and intention of the City of Akron to proceed under Ohio Revised Code, Section 163.06 (B) for the purpose of constructing, reconstructing, making or repairing roads that are open to the public without charge; and declaring an emergency.

RES. NO. 29-2011 declaring the necessity and intent of the City of Akron to appropriate a temporary easement in certain real property owned by Charles W. Hamad, located at 1826 East Market Street, for the purposes of constructing, reconstructing, making or repairing roads that are open the public in conjunction with the SUM/Massillon Road Project; declaring the necessity and intention of the City of Akron to proceed under Ohio Revised Code, Section 163.06(B) for the purpose of constructing, reconstructing, making or repairing roads that are open to the public without charge; and declaring an emergency.

RES. NO. 30-2011 declaring the necessity and intent of the City of Akron to appropriate a temporary easement in certain real property owned by National City Bank, Akron (nka PNC Bank), located at 181 Massillon Road, for the purposes of constructing, reconstructing, making or repairing roads that are open the public in conjunction with the SUM/Massillon Road Project; declaring the necessity and intention of the City of Akron to proceed under Ohio Revised Code, Section 163.06(B) for the purpose of constructing, reconstructing, making or repairing roads that are open to the public without charge; and declaring an emergency.

RES. NO. 31-2011 declaring the necessity and intent of the City of Akron to appropriate a temporary easement in certain real property owned by Cynthia J. Koelker, located at 213 Massillon Road, for the purposes of constructing, reconstructing, making or repairing roads that are open the public in conjunction with the SUM/Massillon Road Project; declaring the necessity and intention of the City of Akron to proceed under Ohio Revised Code, Section 163.06(B) for the purpose of constructing, reconstructing, making or repairing roads that are open to the public without charge; and declaring an emergency.

RES. NO. 32-2011 declaring the necessity and intent of the City of Akron to appropriate a temporary easement in certain real property owned by Federal National Mortgage Association, located at 265 Massillon Road, for the purposes of constructing, reconstructing, making or repairing roads that are open the public in conjunction with the SUM/Massillon Road Project; declaring the necessity and intention of the City of Akron to proceed under Ohio Revised Code, Section 163.06(B) for the purpose of constructing, reconstructing, making or repairing roads that are open to the public without charge; and declaring an emergency.

RES. NO. 33-2011 declaring the necessity and intent of the City of Akron to appropriate a temporary easement in certain real property owned by Kristie Everhardt, located at 285 Massillon Road, for the purposes of constructing, reconstructing, making or repairing roads that are open the public in conjunction with the SUM/Massillon Road Project; declaring the necessity and intention of the City of Akron to proceed under Ohio Revised Code, Section 163.06(B) for the purpose of constructing, reconstructing, making or repairing roads that are open to the public without charge; and declaring an emergency.

ORD. NO. 34-2011 authorizing assistance to Valor Home which will provide transitional housing and assistance to veterans; and declaring an emergency