

**AKRON, OHIO COUNCIL AGENDA OF JUNE 29, 2009**

Regular Meeting – Members all present, except Greene and Jones, later excused. A non-sectarian prayer was said by Councilman Mike Freeman. The Pledge of Allegiance to the Flag was repeated in unison. Minutes of the previous regular meeting read and approved.

**CONSENT AGENDA**

(1) Ordinance amending The Zoning Map by changing the Apartment House Use District (U2, H1,A3) Classification and the Single-Family Residence Use District (U1,H1,A1) Classification on property located on the north side of Philip Avenue, east of North Adams Street to a Hospital Use District (UHD,H5,A1) Classification; and declaring an emergency. **(ECONOMIC DEVELOPMENT AND JOB CREATION)**

(2) Ordinance accepting a vacation plat for a portion of an unnamed alley on the north side of Wheeler Street, west of Brown Street; and declaring an emergency. **(ECONOMIC DEVELOPMENT AND JOB CREATION)**

**RULES**

**(J. CONTI, CHAIRMAN)**

**NO ITEMS**

**BUDGET AND FINANCE**

**(T. MERLITTI, CHAIRPERSON)**

**NO ITEMS**

**PLANNING**

**(J. CONTI, CHAIRMAN)**

**TIME:**

(1) Ordinance authorizing a Conditional Use to construct a carport to the side property line at 487 Palisades Drive; and declaring an emergency. (D-239) (03/30/09)

(2) D-239. 1. Petition for a Conditional Use to construct a carport at 487 Palisades Drive. (PC-2009-06) (03/02/09)

(3) D-205. 2009 Capital Investment & Community Development Program. (12/15/08)

(4) D-206. 2008-2012 Capital Investment & Community Development Program. (01/05/09)

**PUBLIC SERVICE**

**(J. HURLEY, CHAIRMAN)**

**REFERRED:**

(1) D-329-3. Three (3) letters objecting to the improvement of Barbara Avenue as per Res. No. 236-2009. (06/29/09)

**TIME:**

(2) D-313. One letter objecting to the improvement of the Kenmore Business District per Res. No. 198-09. (06/01/09)

(3) D-329. One letter objecting to the improvement of Barbara Avenue as per Res. No. 236-09. (06/08/09)

**06/29/09**

(4) D-329-1. One letter objecting to the improvement of Barbara Avenue as per Res. No. 236-2009. (06/15/09)

(5) D-329-2. Four (4) letters objecting to the improvement of Barbara Avenue as per Res. No. 236-09. (06/22/09)

(6) D-335. Five (5) letters objecting to the street cleaning/street lighting program as per Res. No. 225-2009. (06/15/09)

(7) D-335-1. Six (6) letters objecting to the street cleaning/street lighting program as per Res. No. 225-2009. (06/22/09)

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

**NO ITEMS**

**PUBLIC SAFETY  
(J. SHEALEY, CHAIRMAN)**

**NO ITEMS**

**PARKS AND RECREATION  
(K. CRAWFORD, CHAIRPERSON)**

**NO ITEMS**

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

**NO ITEMS**

**HEALTH AND SOCIAL SERVICE  
(R. GREENE, CHAIRPERSON)**

**NO ITEMS**

**ECONOMIC DEVELOPMENT & JOB CREATION  
(T. ALBANESE, CHAIRPERSON)**

**UP FOR PUBLIC HEARING JULY 6, 2009:**

(1) Ordinance authorizing a Conditional Use to construct an optical test tower at 920 George Washington Boulevard; and declaring an emergency. (D-337) (06/22/09)

(2) Ordinance authorizing a Conditional Use to convert a retail building to a storage facility at 1561 Brittain Road; and declaring an emergency. (D-338) (06/22/09)

(3) Ordinance authorizing a Conditional Use to place an oversized electronic changeable copy (LED) sign at 1490 Vernon Odom Boulevard; and declaring an emergency. (D-339) (06/22/09)

(4) Ordinance authorizing a Conditional Use to retain a Two-Family Residence use at 520 Crosby Street; and declaring an emergency. (D-305) (06/22/09)

**TIME:**

(5) D-337. Petition of Lockheed Martin Defense Systems for a Conditional Use to construct an optical test tower at 920 George Washington Blvd. (PC-2009-30) (06/15/09)

(6) D-338. Petition of Public Storage, Inc., for a Conditional Use to convert a retail building to a storage facility at 1561 Brittain Road. (PC-2009-31) (06/15/09)

(7) D-339. Petition of Mike VanDevere for a Conditional Use to place an oversized electronic changeable copy (LED) sign at 1490 Vernon Odom Blvd. (PC-2009-32) (06/15/09)

(8) D-305. Petition of Michelle Parker for a Conditional Use to establish a two-family dwelling at 520 Crosby Street. (PC-2009-22) (05/11/09)

(9) Ordinance authorizing a Conditional Use to place a digital changeable copy (LED) high rise sign on property at 43 Pruitt Boulevard; and declaring an emergency. (D-302) (06/08/09) **(The Public Hearing was held 06/29/09. The Committee requested time.)**

(10) D-302. Petition of Mike Pruitt Realty, Ltd., for a Conditional Use to place a digital high-rise sign on property at 43 Pruitt Boulevard. (PC-2008-108) (05/11/09)

(11) Ordinance authorizing a Conditional Use to recycle wooden pallets at 1489 Kelly Avenue; and declaring an emergency. (D-304) (06/08/09) **(The Public Hearing was held 06/29/09. The Committee requested time.)**

(12) D-304. Petition of Emerson Family Limited Partnership for a Conditional Use to establish a pallet recycling business at 1489 Kelly Avenue. (PC-2009-20) (05/11/09)

(13) Ordinance authorizing the expenditure of funds necessary to assist in the acquisition of the AHOPES facility at 838 Coburn Street by a qualified assisted living provider and to provide relocation assistance to the residents of said facility, and authorizing the City to forgive the loan the City provided AHOPES in 2007; and declaring an emergency. (05/11/09)

(14) Ordinance approving and authorizing execution of a Development Agreement among the City, County of Summit, Summit County Port Authority and Bridgestone Firestone North American Tire, LLC; and declaring an emergency. (11/17/08)

(15) D-228. Petition for a Conditional Use to vary the development requirements to construct a retail building at 959 Copley Road. (PC-2008-111) (02/02/09)

(16) D-229. Petition for a Conditional Use to establish a law office at 2367 East Market Street. (PC-2008-121) (02/02/09)

(17) D-278. Petition for a Conditional Use to construct the Schumacher Community Learning Center at 1020 Hartford Avenue. Petitioner: Akron Public Schools. (PC-2009-14) (04/06/09)

(18) D-306. Petition of American Legion Post #449 for a Conditional Use to construct a parking lot on the west side of 17<sup>th</sup> Street SW, south of S. Kenmore Alley. (PC-2009-27) (05/11/09)

(19) D-336. Petition of Jerry Wear for a Conditional Use to establish a welding shop and auto repair business at 298 ½ E. Cuyahoga Falls Avenue. (PC-2009-29) (06/15/09)

(20) D-340. Petition of Palladium-Bromwell Holdings, LLC for a Conditional Use to establish a two-family residence at 938 Haynes Street. (PC-2009-39) (06/15/09)

(21) D-341. Petition of ASW Properties, Ltd., for a Conditional Use to land bank parking spaces at 383 Sherman Street for a residential development at 436 Sumner Street. (PC-2009-41) (06/15/09)

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**READ IN BUT NOT PASSED ON OCTOBER 27, 2008:**

(1) Resolution honoring and recognizing the sacrifices and contributions of Akron Veterans and honoring their service by designating Waterloo Road between Kelly Avenue and Wingate Avenue as the "Akron Veterans Corridor." (10/27/08)

**MISCELLANEOUS**

**FILED: VIVA VOCE. D-350.** Eight (8) City Sidewalk Program Petitions.

**FILED: VIVA VOCE. D-351.** Notice of Stock of D2, D2X, D3, D3A liquor permits to Pegasus Pub and Patio, 898 W. Wilbeth Road. (Ward 9)

**FILED: VIVA VOCE. D-352.** Notice of New C1, D1 liquor permits to Michoacana Market, Inc., 1448 Copley Road. (WARD 4)

**FILED: VIVA VOCE. D-353.** Notice of New C1 liquor permit to La Loma Supermarket, LLC, 421 Darrow Road. (WARD 6)

**FILED: VIVA VOCE. D-354.** Notice of New D4 liquor permit to Serendipity Lounge, 1090 E. Tallmadge Avenue. (WARD 1)

**FILED: VIVA VOCE. D-355.** Notice of Transfer of D1, D3, D3A liquor permits to Escape Nightclub, 1295 E. Tallmadge Avenue. (WARD 2)

**FILED: VIVA VOCE. D-356.** Letter from the Nime Family objecting to the Conditional Use for 43 Pruitt Boulevard. (WARD 1)

**FILED: VIVA VOCE. D-357.** Return Showing Service for the improvement of Barbara Avenue as per Res. No. 236-2009.

**MOTION BY ALBANESE TO EXCUSED GREENE, JONES. CARREID: VIVA VOCE.**

**REPRESENTATION FROM VARIOUS DEPARTMENTS AND DIVISIONS:**

Dave Lieberth, Deputy Mayor Administration; John Valle, Deputy Service Director; Max Rothal, Law Director; Tammy Kalail, Assistant Law Director; John Moore, Planning Director; Cathy Watson, Deputy Finance Director; Bob Bowman, Deputy Mayor Economic Development; Pat Fitzgibbons, Zoning Manager

**COMMITTEE MEETINGS**

MONDAY,	JULY 6, 2009	2:00 P.M.	PUBLIC SERVICE
MONDAY,	JULY 6, 2009	2:15 P.M.	HEALTH & SOCIAL SERVICE
MONDAY,	JULY 6, 2009	2:30 P.M.	PARKS & RECREATION
MONDAY,	JULY 6, 2009	2:45 P.M.	ECONOMIC DEVELOPMENT AND JOB CREATION
MONDAY,	JULY 6, 2009	3:00 P.M.	BUDGET AND FINANCE
MONDAY,	JULY 6, 2009	3:15 P.M.	PUBLIC UTILITIES
MONDAY,	JULY 6, 2009	3:30 P.M.	PUBLIC SAFETY
MONDAY,	JULY 6, 2009	3:45 P.M.	PLANNING
MONDAY,	JULY 6, 2009	3:45 P.M.	HOUSING

ON MOTION, Council adjourned at 7:45 p.m.

**Bob Keith**  
**Clerk of Council**

**ORDINANCES AND RESOLUTIONS PASSED JUNE 29, 2009**

**ORD. NO. 279-2009** authorizing the Director of Health to file an application and enter into an agreement with the Ohio Commission on Minority Health for funding to continue to operate a Local Office of Minority Health; authorizing the expenditure of local matching funds; authorizing the Director of Health to enter into contracts to implement the grant; and declaring an emergency.

**ORD. NO. 280-2009** changing the name of South Martha Avenue, between East Market Street and Seiberling Street, to Innovation Way; and declaring an emergency.

**ORD. 281-2009** amending and/or supplementing Ordinance No. 517-2008, passed November 24, 2008, which authorized a Conditional Use to construct a 40-unit townhome development on the east side of George Washington Boulevard, south of East Waterloo Road, by reducing the number of units to a 34-unit townhome development and accepting revised plans; and declaring an emergency.

**ORD. NO. 282-2009** accepting the eligibility report for 250 North Howard Street; making necessary findings in connections therewith.

**ORD. NO. 283-2009** authorizing the Mayor to file an application and to enter into an agreement for funding of a certain capital improvement under the Ohio Public Works Commission's Local Transportation Improvement Program (LTIP) and the State Capital Improvements Program (SCIP); committing City funds for the local share of this improvement; and declaring an emergency.

**ORD. NO. 284-2009** authorizing the City to file an application for the Lead Hazard Reduction Demonstration Grant Program (LHRDGP) with the U.S. Department of Housing and Urban Development, Office of Healthy Homes and Lead Hazard Control; authorizing the Director of the Department of Planning and Urban Development to enter into all necessary agreements for the operation and term of the Program; and declaring an emergency.

**ORD. NO. 285-2009** authorizing the Director of Public Service to enter into an agreement with the Ohio Department of Transportation for the reconstruction of Hilbish Avenue between Triplett Boulevard and East Market Street; and declaring an emergency.

**RES. NO. 286-2009** declaring that the City of Akron adopts and agrees to participate in the Multi-Jurisdictional Hazard Mitigation Plan developed in conjunction with the County of Summit Emergency Management Agency; and declaring an emergency.

**ORD. NO. 287-2009** authorizing the Mayor to enter into an agreement with Cuyahoga Falls for assistance as temporary back-up in the event of disruption of service of 911 calls; and declaring an emergency.

**RES. NO. 288-2009** opposing the current state budget proposal to cut more than \$200 million in state funding for public libraries, and urging the Governor and the Ohio Legislature to continue to provide the financial support for the vital services which public libraries provide for Ohio citizens; and declaring an emergency.