



# CITY OF AKRON, OHIO

*Marilyn Keith, President*  
*Margo Sommerville, Vice-President*  
*Donnie Kammer, President Pro-Tem*

## Members of Council:

Jeff Fusco, <b>At-Large</b>	Tara Mosley-Samples, <b>Ward 5</b>
Linda Omobien, <b>At-Large</b>	Bob Hoch, <b>Ward 6</b>
Veronica Sims, <b>At-Large</b>	Donnie Kammer, <b>Ward 7</b>
Rich Swirsky, <b>Ward 1</b>	Marilyn Keith, <b>Ward 8</b>
Bruce Kilby, <b>Ward 2</b>	Mike Freeman, <b>Ward 9</b>
Margo Sommerville, <b>Ward 3</b>	Zack Milkovich, <b>Ward 10</b>
Russel Neal, <b>Ward 4</b>	<a href="http://www.akroncitycouncil.org">www.akroncitycouncil.org</a>

## COUNCIL AGENDA FOR FEBRUARY 29, 2016

Regular Meeting held on February 22, 2016. All members were present. Minutes of the previous meeting read and approved.

### CONSENT AGENDA

(1) Ordinance approving and confirming the appointments of Mayor Daniel Horrigan, Councilman Zack Milkovich, and Diane Miller-Dawson as trustees to the Summit/Akron Solid Waste Management Authority Board and Jim Hall, Robert Harris and Cindy Donel as their respective alternates, for terms ending February 28, 2019; and declaring an emergency. **(PUBLIC SERVICE)**

(2) Ordinance authorizing the Director of Public Service to enter into a contract, after publicly advertising for bids, for the resurfacing of the aircraft parking and maneuvering areas of the Akron Fulton Airport, in accordance with FAA requirements, utilizing grant funding from the Ohio Department of Transportation (ODOT) Office of Aviation; approving specifications therefor; and declaring an emergency. **(PUBLIC SERVICE)**

(3) Ordinance authorizing the Purchasing Agent to purchase labor and materials from the Ohio Edison Company, through the Efficiency Safety Incentive Program, for the maintenance of street lights in the City, in order to allow the City to obtain a favorable rate on these services and enhance safety in our neighborhoods; and declaring an emergency. **(PUBLIC SERVICE)**

(4) Ordinance authorizing the Mayor or his designee to enter into a contract, after publicly advertising for bids through the Office of the Purchasing Agent, for the purchase of fiber optic cabling to connect the Mud Run Sewer Pump Station to the City's fiber optic network; 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 construction of White Pond Parkway to provide access into the proposed West Side Office Park; and declaring an emergency. **(PUBLIC SERVICE)**

(6) Ordinance authorizing the Purchasing Agent to enter into contracts with Montrose Ford, Cenweld Corporation and Fallsway Equipment Company for the replacement and refurbishment of a Water Maintenance Inspection Vehicle for the Water Distribution Division; and declaring an emergency. **(PUBLIC UTILITIES)**

(7) Ordinance ratifying the actions of the Director of Public Service in entering into a contract with H.M. Miller Construction Company for the emergency repair of the 12-inch water main on Hudson-Aurora Road in Hudson; and declaring an emergency. **(PUBLIC UTILITIES)**

(8) Ordinance authorizing the Director of Public Service to enter into a contract, after publicly advertising for bids through the Office of the Purchasing Agent, for the purchase of spare Primary Tank flight parts for annual Primary Tank rebuilds at the Water Reclamation Facility; and declaring an emergency. **(PUBLIC UTILITIES)**

**RULES**  
**M. SOMMERVILLE, CHAIRWOMAN**

**NO ITEMS**

**BUDGET AND FINANCE**  
**M. FREEMAN, CHAIRMAN**

**NO ITEMS**

**PLANNING**  
**J. FUSCO, CHAIRMAN**

**FIRST READING AND REFERRED-UP FOR PUBLIC HEARING FEBRUARY 29, 2016:**

(1) Ordinance approving, with modification, the renewal application of Raymond E. Zazo to have agricultural property at 1669 Copley Road placed in an “agricultural district” pursuant to Revised Code Section 929.01, *et seq.*; and declaring an emergency. (2/22/16)

**FIRST READING AND REFERRED:**

(2) Ordinance authorizing the Director of Public Service to grant an easement on City-owned property at Peckham Street to The East Ohio Gas Company dba Dominion East Ohio; and declaring an emergency. (2/22/16)

**REFERRED:**

(3) D-14. Petition of Faisal Dabbas for a Conditional Use to establish a vehicle storage lot on the north side of Georgia Avenue. (PC-2015-79) (2/22/16)

(4) D-15. Petition of Faisal Dabbas for a Conditional Use to establish a vehicle storage lot at 1016 Neville Avenue. (PC-2015-80)(2/22/16)

(5) D-16. Petition of Michael & Rebekah Quarterman for a Conditional Use to retain a fence and playhouse within the building line setback at 667 Woodstock Road. (PC-2016-03)(2/22/16)

(6) D-17. Petition of Cascade Lofts, LLC, for a Conditional Use to establish retail (Phase II) at 21 West North Street and the sale of City-owned land. (PC-2016-04)(2/22/16)

**TIME:**

(7) D-12. Renewal Application of Raymond Zazo to place property on Copley Road and St. Michaels in the Agricultural Farm District Program. (2/8/16)

(8) Ordinance amending/supplementing Title 15 "Land Usage", Chapter 153, "Zoning Code", Section 153.476 (C)(9) "Special standards applicable to specific conditional uses," to increase the nonrefundable application fee to cover the expense of hiring an independent consultant to review requests; and declaring an emergency. (2/1/16) (Note: Public Hearing Held 2/22/16. Committee requested Time. Granted: Viva Voce)

(9) Ordinance authorizing a Conditional Use to construct a cellular tower at 27 Goodwin Avenue. (D-302) (NOTE: Public Hearing held 1/11/16. Committee requested Time. Granted: Viva Voce.)

(10) D-302. Petition of Capital Telecom Acquisition, LLC, for a Conditional Use to construct a cellular tower at 27 Goodwin Avenue. (PC-2015-40)(12/14/15)

(11) D-152. 2014-2018 Capital Investment and Community Development Program. (1/5/15)

(12) D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15)(04/16/12)

**FILED:**

(13) D-7. Petition of Mitch Thomas for a Conditional Use to establish a lawn care business in a Retail Business Use District at 577 West Exchange Street. (PC-2015-81) (1/25/16)

**PUBLIC SERVICE  
B. HOCH, CHAIRMAN**

**NO ITEMS**

**PUBLIC UTILITIES  
R. NEAL, CHAIRMAN**

**FIRST READING AND REFERRED:**

(1) Ordinance ratifying the actions of the Director of Public Service in entering into a contract with Cioffi Construction Company for the emergency repair of the 12-inch water main on East Tallmadge Avenue near Oxford Avenue; and declaring an emergency. (2/22/16)

**PUBLIC SAFETY  
D. KAMMER, CHAIRMAN**

**NO ITEMS**

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

**NO ITEMS**

**HOUSING  
T. MOSLEY-SAMPLES, CHAIRWOMAN**

**NO ITEMS**

**HEALTH AND SOCIAL SERVICE  
L. OMOBIEN, CHAIRWOMAN**

**NO ITEMS**

**ECONOMIC DEVELOPMENT & JOB CREATION  
M. SOMMERVILLE, CHAIRWOMAN**

**NO ITEMS**

**GREEN/SUSTAINABILITY  
R. SWIRSKY, CHAIRMAN**

**TIME:**

(1) Ordinance amending and or supplementing Title\_\_\_\_, of the Codified Ordinances of the City of Akron, Chapter \_\_\_\_\_, to implement Section \_\_\_\_ “Livable, Complete and Green Streets Design,” to provide for the consideration of Livable Complete and Green Street guidelines in all City of Akron construction projects within the public right-of-way; and declaring an emergency. (12/7/15)

**MISCELLANEOUS**

**FILED: VIVA VOCE. D-18.** Letter from Todd Tober, Tober Development, apprising Council that Tober Development and CSS will be the development partners of a residential rental development on Vernon Odom Blvd.

**FILED: VIVA VOCE. D-19.** Letter from Tom Lacey, Senior Vice President, American Community Developers, Inc., apprising Council that they and EANDC will be the managing members of a residential rental development to be located on Everton Drive and Rentar Lane.

**FILED: VIVA VOCE. D-20.** Letter from Ciera Matthews asking Mayor Horrigan and Council to name a new roadway off of White Pond Drive after Civil Rights Pioneer, Claudette Colvin.

**FILED: VIVA VOCE. D-21.** Notice of a Transfer of D1, D2, D3, D3A, and D6 liquor permits to Aramark Educational Services & Patio, 130 E. Mill Street. (WARD 1)

**FILED: VIVA VOCE. D-22.** Notice of a Transfer of D5A and D6 liquor permits to Aramark Educational Services, 1s floor & basement southside, hotel floors 2-4, 120 E. Mill Street & Patio (WARD 1)

**FILED: VIVA VOCE. D-23.** Notice of a Transfer of D5 liquor permit to Aramark Educational Services LLC & Robertson Dining Hall & 10 other campus buildings, 248 E. Buchtel & Partial football stadium (WARD 1)

**FILED: VIVA VOCE. D-24.** Notice of a Transfer of D2, D2X, D3 and D6 liquor permits to Aramark Educational Services front porch and side porch, 60 S. Fir Hill. (WARD 1)

**FILED: VIVA VOCE. D-25.** Notice of a Transfer of D5, D6 liquor permits to Aramark Educational Services, 198 Hill Street. (WARD 1)

**FILED: VIVA VOCE. D-26.** Notice of a Transfer of C1, C2 and D6 liquor permits to Shri Madan, 1131 E. Tallmadge Avenue. (WARD 10)

**FILED: VIVA VOCE. D-27.** Notice of Stock of D5 liquor permit to Varsity O, 1985 Triplett Blvd. & Patio (WARD 10)

**REPRESENTATION FROM VARIOUS DEPARTMENTS AND DIVISIONS:**

James Hardy, Chief of Staff; Eve Belfance, Director of Law; Ellen Lander Nischt, Assistant Director of Law; Diane Miller-Dawson, Director of Finance; Steve Fricker, Deputy Director of Finance; Christine Curry, Director of Communications; John Moore, Director of Service; Chris Ludle, Deputy Director of Service; Jim Hall, Public Works Manager; Mike Antenucci, Zoning Manager

**COMMITTEE MEETINGS**

**Scheduled for Monday, February 29, 2016:**

<b>1:30 P.M.</b>	<b>Planning</b>	<b>2:30 P.M.</b>	<b>Health &amp; Social Service</b>
<b>2:00 P.M.</b>	<b>Public Service</b>	<b>2:45 P.M.</b>	<b>Economic Development &amp; Job Creation</b>
<b>2:15 P.M.</b>	<b>Public Safety</b>	<b>3:00 P.M.</b>	<b>Budget and Finance</b>
<b>2:15 P.M.</b>	<b>Parks &amp; Recreation</b>	<b>3:15 P.M.</b>	<b>Green/Sustainability</b>
<b>2:30 P.M.</b>	<b>Public Utilities</b>	<b>3:30 P.M.</b>	<b>Housing</b>

On Motion, Council adjourned at 7:55 p.m.

**Robert Keith**  
**Clerk of Council**

**ORDINANCES AND RESOLUTIONS PASSED FEBRUARY 22, 2016:**

**ORD. NO. 35-2016** approving the sale of City-owned land on Kline Avenue and Johnston Street to neighboring property owners, in order to facilitate the productive re-use of the land and to reduce the City's costs in maintaining these vacant lots; determining said property is not needed for public use; and declaring an emergency. **VOTE: 13-0**

**ORD. NO. 36-2016** authorizing the Mayor to file applications and enter into agreements with the Ohio EPA and Ohio Water Development Authority for funding through the Water Pollution Control Loan Fund for the planning, design and/or construction of certain wastewater facilities; and declaring an emergency. **VOTE: 13-0**

**ORD. NO. 37-2016** authorizing a Conditional Use to establish a lawn care business at 577 West Exchange Street; and declaring an emergency. *VOTE: 13-0*

**RES. NO. 38-2016** expressing support for President Obama's criminal justice reform agenda including improving the reentry process so that citizens who have paid their debt to society can rehabilitate and reintegrate back into their communities; taking Executive Action to ban the use of solitary confinement for juveniles in federal prisons; and taking steps to make our criminal justice system fairer and more effective and address the vicious cycle of poverty, criminality, and incarceration that traps too many Americans and weakens families and communities; and declaring an emergency. *VOTE: 13-0*

**ORD. NO. 39-2016** authorizing the issuance and sale of notes in a maximum principal amount of \$5,000,000, in anticipation of the issuance of bonds, to retire notes issued for the purpose of providing funds to pay expenses associated with the settlement of health care claims, whether by reserve or otherwise, and the City's portion of the costs of maintaining its self-insurance program for employee health care benefits; and declaring an emergency. *VOTE: 13-0*

**RES. NO. 40-2016** approving and confirming the appointments of Daniel Horrigan, John Moore, Jason Segedy, Helen Tomic, Councilman Russel Neal, Councilman Bob Hoch, and Councilwoman Veronica Sims for the year 2016 as members of the Northeast Ohio Four County Regional Planning and Development Organization; and declaring an emergency. *VOTE: 13-0*

**ORD. NO. 41-2016** approving the sale of City-owned land on Sues Ct. and 7th Avenue to neighboring property owners, in order to facilitate the productive re-use of the land and to reduce the City's costs in maintaining these vacant lots; determining said property is not needed for public use; and declaring an emergency. *VOTE: 13-0*

**ORD. NO. 42-2016** approving the relocation of a utility easement for The East Ohio Gas Company dba Dominion East Ohio in conjunction with the Seiberling Way Phase 2 Project; and declaring an emergency. *VOTE: 13-0*

**ORD. NO. 43-2016** authorizing the purchase of property at 811 Moon St. for C.D. Land Banking purposes, in order to enable the future productive redevelopment of the land; and declaring an emergency. *VOTE: 13-0*

**ORD. NO. 44-2016** approving the donation of a utility easement to AT&T for property needed for the SUM 76-10.0 Project; and declaring an emergency. *VOTE: 13-0*