

PUBLIC HEARING

7:25 P.M. – RESOLUTION NO. R-1-23 - A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY DEBORAH L. MITTERHOLZER (fka LONG ACRES, LLC) TO HAVE CERTAIN LAND OWNED BY HER LOCATED AT 3849 CENTER ROAD, IN THE CITY OF AVON, PERMANENT PARCEL NUMBER 10-04-00-013-000-217 DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY

**AGENDA
AVON CITY COUNCIL
REGULAR MEETING
MONDAY, JANUARY 9, 2023**

7:30 P.M.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

Jennifer Demaline, Ward 1	Bryan Jensen, Mayor
Tammy Holtzmeier, At Large	Ryan Cummins, City Engineer
Dennis McBride, Ward 2	Pam Fechter, Economic Development/Planning Coordinator
Anthony Moore, Ward 3	John Gasior, Law Director
Scott Radcliffe, Ward 4	Steve Presley, Finance Director
Craig Witherspoon, At Large	Duane Streater, Safety/Public Service Director
Brian Fischer, At Large, Council President	Barbara Brooks, Clerk of Council

3. CORRESPONDENCE

- 1.
- 2.

4. ADDITIONS AND DELETIONS TO THE AGENDA

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| 1. Motion to amend the agenda. | 1. | 2. |
| 2. Motion to accept the agenda as amended | 1. | 2. |

5. MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, DECEMBER 19, 2022

Motion to dispense with the reading of the minutes of the Work Session of Council held Monday, December 19, 2022, and to approve said minutes as published. 1. 2.

6. MINUTES OF THE REGULAR MEETING OF COUNCIL HELD TUESDAY, DECEMBER 27, 2022

Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Tuesday, December 27, 2022, and to approve said minutes as published. 1. 2.

7. MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD TUESDAY, JANUARY 3, 2023

Motion to dispense with the reading of the minutes of the Special Meeting of Council held Tuesday, January 3, 2023, and to approve said minutes as published. 1. 2.

8. REAPPOINTMENT OF RALPH WHITE TO THE LANDMARK PRESERVATION COMMISSION AS THE HISTORICAL SOCIETY REPRESENTATIVE FOR ANOTHER FOUR-YEAR TERM

Per Article XIV Section 1(a), this four-year reappointment requires the concurrence of a majority of the membership of the legislative authority.

Motion to concur with the Historical Society’s reappointment of Ralph White to the Landmark Preservation Commission for another four-year term beginning January 1, 2023 and expiring December 31, 2026.

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| | 1. | 2. |
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9. MAYORAL REAPPOINTMENT OF CHAUNCEY MILLER TO THE BOARD OF ZONING AND BUILDING APPEALS FOR ANOTHER FIVE-YEAR TERM

Per Article VII, Section 1(a), this five year reappointment requires the concurrence of two-thirds (5 of 7) of the membership of the legislative authority.

Motion to concur with the Mayor’s reappointment of Chauncey Miller to the Board of Zoning and Building Appeals for another five-year term beginning January 1, 2023 and expiring December 31, 2027.

1. 2.

10. MAYORAL REAPPOINTMENT OF JOHN TRAXLER TO THE AVON TREE COMMISSION

Per Section 2 of Ordinance No. 70-21, the Mayor reappoints John Traxler as a voting member of the Avon Tree Commission for a five-year term beginning January 1, 2023 and ending December 31, 2027.

This appointment does not require the concurrence of Council.

11. ORDINANCE NO. 2-23 – GRANTING A SPECIAL USE PERMIT TO AVON JV, LLC TO INCLUDE A DRIVE-THRU FACILITY AT 36290 DETROIT ROAD

The Clerk will read Ordinance No. 2-23 by title only.

Motion to suspend the rules and act on Ordinance No. 2-23. 1. 2.

Motion to adopt Ordinance No. 2-23. 1. 2.

12. ORDINANCE NO. 3-23 – GRANTING A SPECIAL USE PERMIT TO AVON JV, LLC TO CONSTRUCT AN 8,600 SQ. FT. MEDICAL FACILITY CONTAINING A RESTAURANT WITH A DRIVE-THRU FACILITY AND OUTDOOR SEATING AREA TO BE LOCATED AT 36320 DETROIT ROAD

The Clerk will read Ordinance No. 3-23 by title only.

Motion to suspend the rules and act on Ordinance No. 3-23. 1. 2.

Motion to adopt Ordinance No. 3-23. 1. 2.

13. RESOLUTION NO. R-1-23 – APPROVING WITH MODIFICATION THE RENEWAL APPLICATION MADE BY DEBORAH L. MITTERHOLZER (fka LONG ACRES, LLC) TO HAVE CERTAIN LAND OWNED BY HER LOCATED AT 3849 CENTER ROAD, IN THE CITY OF AVON, PERMANENT PARCEL NUMBER 10-04-00-013-000-217 DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT

The Clerk will read Resolution No. R-1-23 by title only.

Motion to suspend the rules and act on Resolution No. R-1-23. 1. 2.

Motion to adopt Resolution No. R-1-23. 1. 2.

14. REPORTS AND COMMENTS

MAYOR JENSEN

COUNCIL MEMBERS:

MRS. DEMALINE, WARD 1

MRS. HOLTZMEIER, AT LARGE

MR. MCBRIDE, WARD 2

MR. MOORE, WARD 3

MR. RADCLIFFE, WARD 4

MR. WITHERSPOON, AT LARGE

MR. FISCHER, AT LARGE

DIRECTORS/ADMINISTRATION:

MR. CUMMINS, CITY ENGINEER

MS. FECHTER, ECONOMIC DEVELOPMENT/PLANNING COORDINATOR

MR. GASIOR, LAW DIRECTOR

MR. PRESLEY, FINANCE DIRECTOR

MR. STREATOR, SAFETY/PUBLIC SERVICE DIRECTOR

AUDIENCE:

15. ADJOURN:
Motion to adjourn the Regular Meeting of Council 1. 2.