

**PUBLIC HEARINGS
MONDAY, FEBRUARY 14, 2022**

7:15 P.M. – RESOLUTION NO. R-3-22 – A RESOLUTION TO APPROVE, WITH MODIFICATION, THE RENEWAL APPLICATION MADE BY MARK W. LADEGAARD AND AMY LADEGAARD TO HAVE CERTAIN LAND OWNED BY THEM ON KINZEL ROAD, PERMANENT PARCEL NOS. 10-04-00-014-105-068 AND 10-04-00-014-105-051, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT, CONSISTING OF 15.21 ACRES AND DECLARING AN EMERGENCY

7:20 P.M. – RESOLUTION NO. R-2-22 – A RESOLUTION TO APPROVE, WITH MODIFICATION, THE RENEWAL APPLICATION MADE BY JAMES A CONANT JR. AND KAREN A CONANT TO HAVE CERTAIN LAND OWNED BY THEM LOCATED AT 34390 DETROIT ROAD, PERMANENT PARCEL NO. 10-04-00-022-102-073, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT, CONSISTING OF 37.44 ACRES AND DECLARING AN EMERGENCY

7:25 P.M. – ORDINANCE NO. 3-22 – AN ORDINANCE TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969 COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 8.58 ACRE PARCEL OF LAND LOCATED ON THE SOUTHWEST CORNER OF MIDDLETON ROAD AND NAGLE ROAD, PERMANENT PARCEL NO. 10-04-00-022-102-150 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS/GENERAL BUSINESS DISTRICT OVERLAY

**AGENDA
AVON CITY COUNCIL
REGULAR MEETING
MONDAY, FEBRUARY 14, 2022**

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, Planning/Economic Development Coordinator
Anthony Moore, Ward 3	John Gasior, Law Director
Scott Radcliffe, Ward 4	Bill Logan, 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
 - 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 TUESDAY, JANUARY 18, 2022

Motion to dispense with the reading of the minutes of the Work Session of Council held Tuesday, January 18, 2022, and to approve said minutes as published. 1. 2.

6. [MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, JANUARY 24, 2022](#)
 Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, January 24, 2022, and to approve said minutes as published. 1. 2.
7. [MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD MONDAY, FEBRUARY 7, 2022](#)
 Motion to dispense with the reading of the minutes of the Special Meeting of Council held Monday, February 7, 2022, and to approve said minutes as published. 1. 2.
8. [ORDINANCE NO. 3-22 – TO AMEND ORDINANCE NO. 413-68, PASSED JANUARY 15, 1969 COMMONLY KNOWN AS THE ZONING ORDINANCE OF THE CITY OF AVON, OHIO, AS AMENDED, REZONING THE 8.58 ACRE PARCEL OF LAND LOCATED ON THE SOUTHWEST CORNER OF MIDDLETON ROAD AND NAGLE ROAD, PERMANENT PARCEL NO. 10-04-00-022-102-150 FROM R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS/GENERAL BUSINESS DISTRICT OVERLAY](#)
 The Clerk will read Ordinance No. 3-22 by title only.
 The Chairman declares this to be the third of three readings of Ordinance No. 3-22.
 Motion to adopt Ordinance No. 3-22. 1. 2.
9. [ORDINANCE NO. 12-22 – GRANTING A SPECIAL USE PERMIT TO RAISING CANE’S RESTAURANTS, LLC TO CONSTRUCT A 3,331 SQ. FT. RESTAURANT WITH AN OUTDOOR PATIO SEATING AREA FOR PROPERTY LOCATED AT 35545 CHESTER ROAD](#)
 The Clerk will read Ordinance No. 12-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 12-22. 1. 2.

 Motion to adopt Ordinance No. 12-22. 1. 2.
10. [ORDINANCE NO. 13-22 – GRANTING A SPECIAL USE PERMIT TO AVON REALTY HOLDING, LLC TO DEVELOP 5.55 ACRES OF LAND INTO AN 82 BED SKILLED NURSING FACILITY TO BE LOCATED ON THE EAST SIDE OF NAGEL ROAD, NORTH OF PRIMROSE SCHOOL](#)
 The Clerk will read Ordinance No. 13-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 13-22. 1. 2.

 Motion to adopt Ordinance No. 13-22. 1. 2.
11. [ORDINANCE NO. 14-22 – TO ADD SECTION 1222.02\(b\)\(44a\) AND TO AMEND SECTION 1270.03\(b\)\(3\) OF THE CODIFIED ORDINANCES OF THE CITY OF AVON, TO PERMIT DRIVE-THRU BANKING IN THE C-4 GENERAL BUSINESS DISTRICT WHEN NOT ASSOCIATED WITH A PRINCIPAL USE ON THE PROPERTY](#)
 The Clerk will read Ordinance No. 14-22 by title only.
 The Chairman declares this to be the first of three readings of Ordinance No. 14-22.
 A Public Hearing will be held on Monday, March 14, 2022 at 7:25 p.m.
12. [ORDINANCE NO. 16-22 – TO AMEND ORDINANCE NO. 122-19 ESTABLISHING COMPENSATION FOR THE PART-TIME, UNCLASSIFIED SEASONAL LIFEGUARD POSITION FOR THE CITY](#)
 The Clerk will read Ordinance No. 16-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 16-22. 1. 2.

 Motion to adopt Ordinance No. 16-22. 1. 2.
13. [ORDINANCE NO. 17-22 – TO AMEND ORDINANCE NO. 121-19 ESTABLISHING COMPENSATION FOR THE POSITION OF PART-TIME, UNCLASSIFIED SEASONAL POOL TECHNICIAN FOR THE CITY](#)
 The Clerk will read Ordinance No. 17-22 by title only.

- Motion to suspend the rules and act on Ordinance No. 17-22. 1. 2.
- Motion to adopt Ordinance No. 17-22. 1. 2.
14. ORDINANCE NO. 18-22 – TO AMEND ORDINANCE NO. 29-21 ESTABLISHING COMPENSATION FOR THE PART-TIME, UNCLASSIFIED SEASONAL CASHIER FOR THE CITY
 The Clerk will read Ordinance No. 18-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 18-22. 1. 2.
- Motion to adopt Ordinance No. 18-22. 1. 2.
15. ORDINANCE NO. 19-22 – TO AMEND ORDINANCE NO. 30-21 ESTABLISHING COMPENSATION FOR THE PART-TIME, UNCLASSIFIED SEASONAL RECREATION SPECIALIST FOR THE CITY
 The Clerk will read Ordinance No. 19-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 19-22. 1. 2.
- Motion to adopt Ordinance No. 19-22. 1. 2.
16. ORDINANCE NO. 20-22 – AUTHORIZING AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PAVEMENT RESURFACING AND ASSOCIATED IMPROVEMENTS ALONG CERTAIN SECTIONS OF MOORE ROAD (COUNTY ROAD 78)
 The Clerk will read Ordinance No. 20-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 20-22. 1. 2.
- Motion to adopt Ordinance No. 20-22. 1. 2.
17. RESOLUTION NO. R-2-22 – TO APPROVE, WITH MODIFICATION THE RENEWAL APPLICATION MADE BY JAMES A CONANT JR. AND KAREN A. CONANT TO HAVE CERTAIN LAND OWNED BY THEM LOCATED AT 34390 DETROIT ROAD, PERMANENT PARCEL NO. 10-04-00-022-102-073, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT, CONSISTING OF 37.44 ACRES
 The Clerk will read Resolution No. R-2-22 by title only.
 Motion to suspend the rules and act on Resolution No. R-2-22. 1. 2.
- Motion to adopt Resolution No. R-2-22. 1. 2.
18. RESOLUTION NO. R-3-22 – TO APPROVE, WITH MODIFICATION THE RENEWAL APPLICATION MADE BY MARK W. LADEGAARD AND AMY LADEGAARD TO HAVE CERTAIN LAND OWNED BY THEM LOCATED ON KINZEL ROAD, PERMANENT PARCEL NOS. 10-04-00-014-105-068 AND 10-04-00-014-105-051, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT, CONSISTING OF 15.21 ACRES
 The Clerk will read Resolution No. R-3-22 by title only.
 Motion to suspend the rules and act on Resolution No. R-3-22. 1. 2.
- Motion to adopt Resolution No. R-3-22. 1. 2.
19. RESOLUTION NO. R-4-22 – IN SUPPORT OF SUBMISSION OF A SAFE ROUTES TO SCHOOL IMPLEMENTATION GRANT APPLICATION FOR THE NAGEL ROAD PEDESTRIAN IMPROVEMENT PROJECT
 The Clerk will read Resolution No. R-4-22 by title only.
 Motion to suspend the rules and act on Resolution No. R-4-22. 1. 2.
- Motion to adopt Resolution No. R-4-22. 1. 2.

20. 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. LOGAN, FINANCE DIRECTOR

MR. STREATOR, SAFETY/PUBLIC SERVICE DIRECTOR

AUDIENCE:

21. EXECUTIVE SESSION

Motion to Enter Into Executive Session for the Purpose of Discussing the Threat of Imminent Litigation

1. 2.

22. RECONVENE

Motion to Reconvene the Regular Meeting of Council

1. 2.

23. ADJOURN:

Motion to adjourn the Regular Meeting of Council

1. 2.