

**PUBLIC HEARINGS  
MONDY, MARCH 13, 2023**

**7:15 P.M. – RESOLUTION NO. R-15-23 - A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY LESTER L. & MARILYN F. DEMALINE & GINGKO LEAF PROPERTIES, LLC TO HAVE CERTAIN LAND OWNED BY THEM LOCATED ON LONG ROAD, PERMANENT PARCEL NOS. 10-04-00-012-101-078 AND 10-04-00-012-101-082 (RESPECTIVELY), DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY**

**7:20 P.M. – RESOLUTION NO. R-16-23 - A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY BARBARA DEMALINE TO HAVE CERTAIN LAND OWNED BY HER LOCATED ON DETROIT ROAD, PERMANENT PARCEL NOS. 10-04-00-001-102-008 AND 10-04-00-001-102-064, AND ON STATE ROUTE 83, PERMANENT PARCEL NO. 10-04-00-013-000-194, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY**

**7:25 P.M. – RESOLUTION NO. R-17-23 – A RESOLUTION TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY WILLOWAY PROPERTIES, LLC TO HAVE CERTAIN LAND OWNED BY THEM LOCATED AT 3540 LONG ROAD, PERMANENT PARCEL NOS. 10-04-00-012-101-087, 10-04-00-002-103-011, AND 10-04-00-001-103-046 DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY**

**AGENDA  
AVON CITY COUNCIL  
REGULAR MEETING  
MONDAY, MARCH 13, 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 Streator, 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, FEBRUARY 20, 2023

Motion to dispense with the reading of the minutes of the Work Session of Council held Monday, February 20, 2023, and to approve said minutes as published.

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| 1. | 2. |
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6. MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, FEBRUARY 27, 2023

Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, February 27, 2023, and to approve said minutes as published. 1. 2.

7. ORDINANCE NO. 35-23 – AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO THE COOPERATIVE AGREEMENT WITH THE CITY OF NORTH RIDGEVILLE FOR THE CONSTRUCTION OF A TRAFFIC ROUNDABOUT AT THE INTERSECTION OF STONEY RIDGE ROAD, MILLS ROAD, AND AVALON DRIVE

The Clerk will read Ordinance No. 35-23 by title only.

Motion to suspend the rules and act on Ordinance No. 35-23. 1. 2.

Motion to adopt Ordinance No. 35-23. 1. 2.

8. ORDINANCE NO. 36-23 – APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; PROVIDING FOR THE ADOPTION AND PUBLICATION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; REPEALING ORDINANCES IN CONFLICT THEREWITH

The Clerk will read Ordinance No. 36-23 by title only.

Motion to suspend the rules and act on Ordinance No. 36-23. 1. 2.

Motion to adopt Ordinance No. 36-23. 1. 2.

9. ORDINANCE NO. 37-23 – GRANTING A SPECIAL USE PERMIT TO O.E. MEYER CO. TO INSTALL FOUR (4) ABOVEGROUND STORAGE CONTAINERS FOR HAZARDOUS MATERIALS ON PROPERTY LOCATED AT 929 MOORE ROAD (THE SOUTHEAST CORNER OF AVON COMMERCE PARKWAY AND MOORE ROAD)

The Clerk will read Ordinance No. 37-23 by title only.

Motion to suspend the rules and act on Ordinance No. 37-23. 1. 2.

Motion to adopt Ordinance No. 37-23. 1. 2.

10. ORDINANCE NO. 38-23 – TO AMEND THE PLANNING AND ZONING CODE SECTION 1270.03 SCHEDULE OF PERMITTED USES AND SECTION 1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NON-RESIDENTIAL DISTRICTS TO REQUIRE A SPECIAL USE PERMIT FOR DRIVE-THRUS IN THE C-4 DISTRICT

The Clerk will read Ordinance No. 38-23 by title only.

The Chairman declares this to be the first of three readings of Ordinance No. 38-23.

A Public Hearing will be held at the Regular Meeting on Monday, April 10, 2023 at 7:20 p.m.

11. ORDINANCE NO. 39-23 – TO AMEND THE PLANNING AND ZONING CODE SECTIONS 1228.04, 1230.02 AND 1244.06 TO MAKE PRE-APPLICATION MEETINGS WITH STAFF MANDATORY FOR ALL PROJECTS

The Clerk will read Ordinance No. 39-23 by title only.

The Chairman declares this to be the first of three readings of Ordinance No. 39-23.

A Public Hearing will be held at the Regular Meeting on Monday, April 10, 2023 at 7:25 p.m.

12. ORDINANCE NO. 40-23 – TO AUTHORIZE THE FINAL PLAT AND SUBDIVIDER'S AGREEMENT FOR AUTUMN GROVE SUBDIVISION

The Clerk will read Ordinance No. 40-23 by title only.

Motion to suspend the rules and act on Ordinance No. 40-23. 1. 2.

Motion to adopt Ordinance No. 40-23. 1. 2.

13. ORDINANCE NO. 41-23 – REAPPROPRIATIONS

The Clerk will read Ordinance No. 41-23 by title only.

- Motion to suspend the rules and act on Ordinance No. 41-23. 1. 2.
- Motion to adopt Ordinance No. 41-23. 1. 2.
14. RESOLUTION NO. R-18-23 – AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF AVON, TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE NATIONAL COOPERATIVE PURCHASING ALLIANCE (“NCPA”)  
 The Clerk will read Resolution No. R-18-23 by title only.  
 Motion to suspend the rules and act on Resolution No. R-18-23. 1. 2.
- Motion to adopt Resolution No. R-18-23. 1. 2.
15. ORDINANCE NO. 42-23 – TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH OES-SCOREBOARDS FOR THE PURCHASE OF A SCOREBOARD MARQUEE SIGN AND APPURTENANCES THERETO FOR THE CITY-OWNED CRUSHER STADIUM  
 The Clerk will read Ordinance No. 42-23 by title only.  
 Motion to suspend the rules and act on Ordinance No. 42-23. 1. 2.
- Motion to adopt Ordinance No. 42-23. 1. 2.
16. RESOLUTION NO. R-13-23 – DECLARING IT NECESSARY TO IMPROVE CHESTER ROAD BY THE CONSTRUCTION AND RECONSTRUCTION OF APPROXIMATELY 475 LINEAL FEET OF CHESTER ROAD TOGETHER WITH ALL NECESSARY APPURTENANCES AND RELATED IMPROVEMENTS THERETO  
 The Clerk will read Resolution No. R-13-23 by title only.  
 Motion to suspend the rules and act on Resolution No. R-13-23. 1. 2.
- Motion to adopt Resolution No. R-13-23. 1. 2.
17. RESOLUTION NO. R-14-23 – TO ADVERTISE FOR BIDS FOR THE CHESTER ROAD WIDENING PHASE II PROJECT  
 The Clerk will read Resolution No. R-14-23 by title only.  
 Motion to suspend the rules and act on Resolution No. R-14-23. 1. 2.
- Motion to adopt Resolution No. R-14-23. 1. 2.
18. RESOLUTION NO. R-15-23 – TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY LESTER L. & MARILYN F. DEMALINE & GINGKO LEAF PROPERTIES, LLC TO HAVE CERTAIN LAND OWNED BY THEM LOCATED ON LONG ROAD, PERMANENT PARCEL NOS. 10-04-00-012-101-078 AND 10-04-00-012-101-082 (RESPECTIVELY), DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT  
 The Clerk will read Resolution No. R-15-23 by title only.  
 Motion to suspend the rules and act on Resolution No. R-15-23. 1. 2.
- Motion to adopt Resolution No. R-15-23. 1. 2.
19. RESOLUTION NO. R-16-23 – TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY BARBARA DEMALINE TO HAVE CERTAIN LAND OWNED BY HER LOCATED ON DETROIT ROAD, PERMANENT PARCEL NOS. 10-04-00-001-102-008 AND 10-04-00-001-102-064, AND ON STATE ROUTE 83, PERMANENT PARCEL NO. 10-04-00-013-000-194, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT  
 The Clerk will read Resolution No. R-16-23 by title only.  
 Motion to suspend the rules and act on Resolution No. R-16-23. 1. 2.

Motion to adopt Resolution No. R-16-23. 1. 2.

20. RESOLUTION NO. R-17-23 – TO APPROVE WITH MODIFICATION THE RENEWAL APPLICATION MADE BY WILLOWAY PROPERTIES, LLC TO HAVE CERTAIN LAND OWNED BY THEM LOCATED AT 3540 LONG ROAD, PERMANENT PARCEL NOS. 10-04-00-012-101-087, 10-04-00-002-103-011 AND 10-04-00-001-103-046, DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT

The Clerk will read Resolution No. R-17-23 by title only.

Motion to suspend the rules and act on Resolution No. R-17-23. 1. 2.

Motion to adopt Resolution No. R-17-23. 1. 2.

21. RESOLUTION NO. R-19-23 – TO STRONGLY URGE THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS

The Clerk will read Resolution No. R-19-23 by title only.

Motion to suspend the rules and act on Resolution No. R-19-23. 1. 2.

Motion to adopt Resolution No. R-19-23. 1. 2.

22. 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:

23. ADJOURN:

Motion to adjourn the Regular Meeting of Council 1. 2.