

**AGENDA
 AVON CITY COUNCIL
 REGULAR MEETING
 MONDAY, MARCH 28, 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

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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, MARCH 7, 2022

Motion to dispense with the reading of the minutes of the Work Session of Council held Monday, March 7, 2022, and to approve said minutes as published. 1. 2.

6. MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, MARCH 14, 2022

Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, March 14, 2022, and to approve said minutes as published. 1. 2.

7. MAYOR JENSEN ANNOUNCES THE APPOINTMENT OF ALEX BOCCABELLA TO THE AVON TREE COMMISSION FOR THE UNEXPIRED TERM ENDING 12/31/2024 Mayor Jensen

Greg Mateyka tendered his resignation on March 7, 2022 and Alex Boccabella has agreed to serve the unexpired term on the Avon Tree Commission.

8. ORDINANCE NO. 29-22 – TO AMEND ORDINANCE NO. 38-10 TO EXTEND THE EXEMPTION FROM TAXATION OF IMPROVEMENTS PROVIDED FOR BY OHIO REVISED CODE SECTION 5709.40 FOR CERTAIN PARCELS COMPRISING THE CITY’S TAX INCREMENT FINANCING AGREEMENT NO. 6/7, PURSUANT TO OHIO REVISED CODE SECTION 5709.51

The Clerk will read Ordinance No. 29-22 by title only.

Motion to suspend the rules and act on Ordinance No. 29-22. 1. 2.

Motion to adopt Ordinance No. 29-22. 1. 2.

9. ORDINANCE NO. 36-22 – GRANTING A SPECIAL USE PERMIT TO AVON PLAZA, LLC TO ALLOW THEIR TENANT, DJ STEAKBURGERS, LLC (dba FREDDY’S FROZEN CUSTARD & STEAKBURGERS), TO CONSTRUCT A 386 SQ. FT. CONCRETE PATIO/OUTDOOR SEATING AREA ON PROPERTY LOCATED AT 35815 CHESTER ROAD

The Clerk will read Ordinance No. 36-22 by title only.

Motion to suspend the rules and act on Ordinance No. 36-22. 1. 2.

- Motion to adopt Ordinance No. 36-22. 1. 2.
10. ORDINANCE NO. 37-22 – GRANTING A SPECIAL USE PERMIT TO BENCHMARK AVON, LLC TO ALLOW THEIR TENANT, CITY BARBEQUE, LLC TO CONSTRUCT A 598 SQ. FT. CONCRETE PATIO/OUTDOOR SEATING AREA ON PROPERTY LOCATED AT 35495 CHESTER ROAD
 The Clerk will read Ordinance No. 37-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 37-22. 1. 2.
- Motion to adopt Ordinance No. 37-22. 1. 2.
11. ORDINANCE NO. 38-22 – TO AMEND THE SPECIAL USE PERMIT GRANTED TO THE AVON LOCAL SCHOOL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF THREE (3) ADDITIONAL TENNIS COURTS, THREE (3) NEW PICKLE BALL COURTS AND LIGHTING LOCATED ON THE AVON HIGH SCHOOL CAMPUS AT 37545 DETROIT ROAD
 The Clerk will read Ordinance No. 38-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 38-22. 1. 2.
- Motion to adopt Ordinance No. 38-22. 1. 2.
12. ORDINANCE NO. 39-22 – GRANTING A SPECIAL USE PERMIT TO FIRST INTERSTATE PROPERTIES, LTD TO ALLOW THEIR TENANT, HAVONP, LLC (dba MEZQUITE) TO CONSTRUCT A 764 SQ. FT. CONCRETE PATIO/OUTDOOR SEATING AREA ON PROPERTY LOCATED AT 35846 DETROIT ROAD
 The Clerk will read Ordinance No. 39-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 39-22. 1. 2.
- Motion to adopt Ordinance No. 39-22. 1. 2.
13. ORDINANCE NO. 40-22 – AUTHORIZING THE CREATION OF THE ONEOHIO OPIOID SETTLEMENT FUND NO. 288
 The Clerk will read Ordinance No. 40-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 40-22. 1. 2.
- Motion to adopt Ordinance No. 40-22. 1. 2.
14. ORDINANCE NO. 41-22 – REAPPROPRIATIONS
 The Clerk will read Ordinance No. 41-22 by title only.
 Motion to suspend the rules and act on Ordinance No. 41-22. 1. 2.
- Motion to adopt Ordinance No. 41-22. 1. 2.
15. ORDINANCE NO. 42-22 – 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 A PORTION OF LAND (7.89 ACRE PARCEL) LOCATED ON THE NORTH SIDE OF CHESTER ROAD, PERMANENT PARCEL NO. 10-04-00-009-000-181 FROM M-1 GENERAL INDUSTRIAL DISTRICT TO R-3 MULTI-FAMILY RESIDENTIAL DISTRICT AND SUBJECT TO THE TERMS OF THE PARTIES DEVELOPMENT AGREEMENT
 The Clerk will read Ordinance No. 42-22 by title only.
 The Chair declares this to be the first of three readings of Ordinance No. 42-22.
 A Public Hearing will be held on Monday, April 25, 2022, at 7:25 p.m.

16. ORDINANCE NO. 43-22 – TO AMEND ORDINANCE NO. 76-18 ESTABLISHING COMPENSATION FOR THE POSITION OF PART-TIME, UNCLASSIFIED PAYROLL/HUMAN RESOURCES CLERK FOR THE CITY OF AVON

The Clerk will read Ordinance No. 43-22 by title only.

Motion to suspend the rules and act on Ordinance No. 43-22. 1. 2.

Motion to adopt Ordinance No. 43-22. 1. 2.

17. RESOLUTION NO. R-14-22 – TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT FOR ROAD SALT

The Clerk will read Resolution No. R-14-22 by title only.

Motion to suspend the rules and act on Resolution No. R-14-22. 1. 2.

Motion to adopt Resolution No. R-14-22. 1. 2.

18. RESOLUTION NO. R-16-22 – IN SUPPORT OF UKRAINE, THE BRAVE UKRANIAN PEOPLE FIGHTING FOR THEIR FREEDOM AND ALL EFFORTS OF THE UNITED STATES GOVERNMENT TO OFFER AID AND ASSISTANCE TO THEM TO RESIST THE INVADING RUSSIAN MILITARY FORCES

The Clerk will read Resolution No. R-16-22 by title only.

Motion to suspend the rules and act on Resolution No. R-16-22. 1. 2.

Motion to adopt Resolution No. R-16-22. 1. 2.

19. 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:

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