

**PUBLIC HEARINGS  
MONDY, MAY 22, 2023**

**7:05 P.M. – ORDINANCE NO. 55-23 – AN ORDINANCE AMENDING SECTIONS 1262.03, 1264.03, 1270.03, 1274.03 AND 1278.03 OF THE AVON CODIFIED ORDINANCES AS THEY PERTAIN TO FARMS AND LIVESTOCK IN THE CITY OF AVON**

**7:10 P.M. – ORDINANCE NO. 56-23 – AN ORDINANCE AMENDING SECTION 1280.04 OF THE AVON CODIFIED ORDINANCES DEALING WITH LOT AND YARD REGULATIONS FOR SPECIAL USES IN RESIDENTIAL DISTRICTS AS APPLIED TO FARMS AND LIVESTOCK**

**7:15 P.M. – ORDINANCE NO. 57-23 – AN ORDINANCE AMENDING SECTION 1280.05 OF THE AVON CODIFIED ORDINANCES DEALING WITH LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS AS APPLIED TO FARMS AND LIVESTOCK**

**7:20 P.M. – ORDINANCE NO. 58-23 – AN ORDINANCE AMENDING SECTION 1280.06 OF THE AVON CODIFIED ORDINANCES DEALING WITH SUPPLEMENTAL REGULATIONS FOR CERTAIN SPECIAL USES APPLICABLE TO FARMS AND LIVESTOCK**

**7:25 P.M. – ORDINANCE NO. 59-23 – AN ORDINANCE AMENDING SECTION 1222.02 OF THE AVON CODIFIED ORDINANCES TO DEFINE TERMS RELATED TO FARMING AND LIVESTOCK**

**AGENDA  
AVON CITY COUNCIL  
REGULAR MEETING  
MONDAY, MAY 22, 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. PRESENTATION FROM NOPEC

Jose Delgado, Relationship Manager

6. MINUTES OF THE WORK SESSION OF COUNCIL HELD MONDAY, MAY 1, 2023

Motion to dispense with the reading of the minutes of the Work Session of Council held Monday, May 1, 2023, and to approve said minutes as published. 1. 2.

7. MINUTES OF THE MEETING OF THE FINANCE AND LEGAL COMMITTEES OF COUNCIL HELD MONDAY, MAY 8, 2023  
 Motion to dispense with the reading of the minutes of the meeting of the Finance and Legal Committees of Council held Monday, May 8, 2023, and to approve said minutes as published. 1. 2.
8. MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY, MAY 8, 2023  
 Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, May 8, 2023, and to approve said minutes as published. 1. 2.
9. ORDINANCE NO. 55-23 – AMENDING SECTIONS 1262.03, 1264.03, 1270.03, 1274.03 AND 1278.03 OF THE AVON CODIFIED ORDINANCES AS THEY PERTAIN TO FARMS AND LIVESTOCK IN THE CITY OF AVON  
 The Clerk will read Ordinance No. 55-23 by title only.  
 The Chairman declares this to be the third of three readings of Ordinance No. 55-23.  
 Motion to amend Ordinance No. 55-23. 1. 2.  
 Motion to adopt Ordinance No. 55-23 as amended. 1. 2.
10. ORDINANCE NO. 56-23 – AMENDING SECTION 1280.04 OF THE AVON CODIFIED ORDINANCES DEALING WITH LOT AND YARD REGULATIONS FOR SPECIAL USES IN RESIDENTIAL DISTRICTS AS APPLIED TO FARMS AND LIVESTOCK  
 The Clerk will read Ordinance No. 56-23 by title only.  
 The Chairman declares this to be the third of three readings of Ordinance No. 56-23.  
 Motion to amend Ordinance No. 56-23. 1. 2.  
 Motion to adopt Ordinance No. 56-23 as amended. 1. 2.
11. ORDINANCE NO. 57-23 – AMENDING SECTION 1280.05 OF THE AVON CODIFIED ORDINANCES DEALING WITH LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS AS APPLIED TO FARMS AND LIVESTOCK  
 The Clerk will read Ordinance No. 57-23 by title only.  
 The Chairman declares this to be the third of three readings of Ordinance No. 57-23.  
 Motion to amend Ordinance No. 57-23. 1. 2.  
 Motion to adopt Ordinance No. 57-23 as amended. 1. 2.
12. ORDINANCE NO. 58-23 – AMENDING SECTION 1280.06 OF THE AVON CODIFIED ORDINANCES DEALING WITH SUPPLEMENTAL REGULATIONS FOR CERTAIN SPECIAL USES APPLICABLE TO FARMS AND LIVESTOCK  
 The Clerk will read Ordinance No. 58-23 by title only.  
 The Chairman declares this to be the third of three readings of Ordinance No. 58-23.  
 Motion to amend Ordinance No. 58-23. 1. 2.  
 Motion to adopt Ordinance No. 58-23 as amended. 1. 2.
13. ORDINANCE NO. 59-23 – AMENDING SECTION 1222.02 OF THE AVON CODIFIED ORDINANCES TO DEFINE TERMS RELATED TO FARMING AND LIVESTOCK  
 The Clerk will read Ordinance No. 59-23 by title only.  
 The Chairman declares this to be the third of three readings of Ordinance No. 59-23.  
 Motion to amend Ordinance No. 59-23. 1. 2.  
 Motion to adopt Ordinance No. 59-23 as amended. 1. 2.

14. [ORDINANCE NO. 60-23](#) – TO ACCEPT IMPROVEMENTS IN FIELDSTONE LANDING SUBDIVISION  
NO. 1  
The Clerk will read Ordinance No. 60-23 by title only.  
The Chairman declares this to be the third of three readings of Ordinance No. 60-23.  
Motion to adopt Ordinance No. 60-23. 1. 2.
15. [ORDINANCE NO. 68-23](#) – TO GRANT A SPECIAL USE PERMIT TO DeVILLE DEVELOPMENTS, LLC  
TO CONSTRUCT AN OUTDOOR PATIO SEATING AREA FOR THEIR 2,554 SQ. FT. BUILDING TO BE  
LOCATED AT 1443 NAGEL ROAD SAID BUILDING TO BE LEASED TO THEIR TENANT, STARBUCKS  
The Clerk will read Ordinance No. 68-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 68-23. 1. 2.
- Motion to adopt Ordinance No. 68-23. 1. 2.
16. [ORDINANCE NO. 69-23](#) – GRANTING A SPECIAL USE PERMIT TO DeVILLE DEVELOPMENTS, LLC  
TO CONSTRUCT AN OUTDOOR PATIO SEATING AREA FOR THEIR 7,180 SQ. FT. BUILDING TO BE  
LOCATED AT 1485 NAGEL ROAD SAID BUILDING TO BE LEASED TO THEIR TENANT, CHIPOTLE  
The Clerk will read Ordinance No. 69-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 69-23. 1. 2.
- Motion to adopt Ordinance No. 69-23. 1. 2.
17. [ORDINANCE NO. 70-23](#) – TO GRANT A SPECIAL USE PERMIT TO DeVILLE DEVELOPMENTS, LLC  
TO CONSTRUCT AN OUTDOOR PATIO SEATING AREA FOR THEIR 6,800 SQ. FT. BUILDING TO BE  
LOCATED AT 33420 JUST IMAGINE DRIVE SAID BUILDING TO BE LEASED TO THEIR TENANT,  
NOODLES  
The Clerk will read Ordinance No. 70-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 70-23. 1. 2.
- Motion to adopt Ordinance No. 70-23. 1. 2.
18. [ORDINANCE NO. 72-23](#) – AMENDING SECTION 618.12 OF THE CODIFIED ORDINANCES OF THE  
CITY OF AVON TO REGULATE LIVESTOCK, POULTRY AND RABBITS  
The Clerk will read Ordinance No. 72-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 72-23. 1. 2.
- Motion to adopt Ordinance No. 72-23. 1. 2.
19. [ORDINANCE NO. 73-23](#) – AMENDING CHAPTER 668 OF THE CODIFIED ORDINANCES OF THE CITY  
OF AVON REGULATING STABLES AND KENNELS  
The Clerk will read Ordinance No. 73-23 by title only.  
Motion to suspend the rules and act on Ordinance No. 73-23. 1. 2.
- Motion to adopt Ordinance No. 73-23. 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. PRESLEY, FINANCE DIRECTOR

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR

AUDIENCE:

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