

**AGENDA  
AVON CITY COUNCIL  
REGULAR MEETING  
MONDAY, NOVEMBER 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, Planning/Economic Development 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

- |   |    |    |
|---|----|----|
| 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, OCTOBER 16, 2023

Motion to dispense with the reading of the minutes of the Work Session of Council held Monday, October 16, 2023, and to approve said minutes as published. 1. 2.

6. MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY OCTOBER 23, 2023

Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, October 23, 2023, and to approve said minutes as published. 1. 2.

7. MINUTES OF THE MEETING OF THE SAFETY COMMITTEE OF COUNCIL HELD MONDAY, NOVEMBER 6, 2023

Motion to dispense with the reading of the minutes of the Meeting of the Safety Committee of Council held Monday, November 6, 2023, and to approve said minutes as published. 1. 2.

8. ORDINANCE NO. 112-23 – APPROVING MODIFICATIONS TO THE SANITARY SEWER MASTER PLAN AND ADOPTING SAID MODIFICATIONS AS REVISIONS TO THE OFFICIAL SANITARY SEWER MASTER PLAN FOR THE CITY OF AVON

The Clerk will read Ordinance No. 112-23 by title only.

The Chair declares this to be the first of three readings of Ordinance No. 112-23.

A Public Hearing will be held for Ordinance No. 112-23 on Monday, December 11, 2023 at 7:25 p.m.

9. ORDINANCE NO. 113-23 – GRANTING A SPECIAL USE PERMIT TO MARK & AMY LADEGAARD TO ALLOW FOR THE DEVELOPMENT OF AN EXISTING FLAG LOT LOCATED ON KINZEL ROAD, PERMANENT PARCEL NO. 04-00-014-105-068 INTO TWO SEPARATE PARCELS TO FACILITATE THE CONSTRUCTION OF TWO SINGLE-FAMILY HOMES IN THE R-1 SINGLE-FAMILY ZONING DISTRICT

The Clerk will read Ordinance No. 113-23 by title only.

Motion to suspend the rules and act on Ordinance No. 113-23. 1. 2.

Motion to adopt Ordinance No. 113-23.

1.

2.

- 10. ORDINANCE NO. 114-23 – 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 APPROXIMATELY 10.7364 ACRES OF LAND CONSISTING OF A 10.6661 ACRE PORTION OF PERMANENT PARCEL NO. 04-00-022-102-072 AND A 0.0703 ACRE PORTION OF PERMANENT PARCEL NO. 04-00-022-102-006 BOTH OF WHICH ARE LOCATED JUST WEST OF THE MIDDLETON ROAD TERMINUS FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO C-4 GENERAL BUSINESS DISTRICT

The Clerk will read Ordinance No. 114-23 by title only.

The Chair declares this to be the first of three readings of Ordinance No. 114-23.

A Public Hearing will be held for Ordinance No. 114-23 on Monday, December 11, 2023 at 7:20 p.m.

- 11. ORDINANCE NO. 115-23 – GRANTING A SPECIAL USE PERMIT TO COOPER’S HAWK AVON, LLC TO CONSTRUCT A 11,040 SQ. FT. RESTAURANT WITH A 750 SQ. FT. OUTDOOR PATIO SEATING AREA FOR PROPERTY LOCATED AT 35351 CHESTER ROAD

The Clerk will read Ordinance No. 115-23 by title only.

Motion to suspend the rules and act on Ordinance No. 115-23.

1.

2.

Motion to adopt Ordinance No. 115-23.

1.

2.

- 12. ORDINANCE NO. 116-23 - REAPPROPRIATIONS

The Clerk will read Ordinance No. 116-23 by title only.

Motion to suspend the rules and act on Ordinance No. 116-23.

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2.

Motion to adopt Ordinance No. 116-23.

1.

2.

- 13. ORDINANCE NO. 117-23 – TO AUTHORIZE A FINAL PLAT AND SUBDIVIDER’S AGREEMENT FOR STONEY ACRES SUBDIVISION

The Clerk will read Ordinance No. 117-23 by title only.

Motion to suspend the rules and act on Ordinance No. 117-23.

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2.

Motion to adopt Ordinance No. 117-23.

1.

2.

- 14. ORDINANCE NO. 118-23 – TO AMEND ORDINANCE NO. 155-07 TO EXTEND THE TERM OF THE TAX INCREMENT FINANCING FOR TIF #5 FOR AN ADDITIONAL 30 YEARS PURSUANT TO OHIO REVISED CODE SECTION 5709.51; AUTHORIZING OTHER RELATED ACTIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, AND RELATED LAWS

The Clerk will read Ordinance No. 118-23 by title only.

The Chair declares this to be the first of three readings of Ordinance No. 118-23.

- 15. ORDINANCE NO. 119-23 - AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO PURCHASE REAL ESTATE LOCATED AT 37570 FRENCH CREEK ROAD IN THE CITY OF AVON, PERMANENT PARCEL NO. 04-00-010-113-080, FROM OROSZ FAMILY LTD.

The Clerk will read Ordinance No. 119-23 by title only.

The Chair declares this to be the first of three readings of Ordinance No. 119-23.

- 16. 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, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR

MR. GASIOR, LAW DIRECTOR

MR. PRESLEY, FINANCE DIRECTOR

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR

AUDIENCE:

- |     |  |    |    |
|-----|--|----|----|
| 17. | <u>EXECUTIVE SESSION</u><br>Motion to Enter Into Executive Session for the Purpose of Discussing the Purchase and/or Sale of Real Estate |    |    |
|     |  | 1. | 2. |
| 18. | <u>RECONVENE</u><br>Motion to Reconvene the Regular Meeting of Council   |    |    |
|     |  | 1. | 2. |
| 19. | <u>ADJOURN:</u><br>Motion to adjourn the Regular Meeting of Council  |    |    |
|     |  | 1. | 2. |