

**AGENDA  
AVON CITY COUNCIL  
REGULAR MEETING  
MONDAY, NOVEMBER 27, 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, NOVEMBER 6, 2023](#)

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

6. [MINUTES OF THE REGULAR MEETING OF COUNCIL HELD MONDAY NOVEMBER 13, 2023](#)

Motion to dispense with the reading of the minutes of the Regular Meeting of Council held Monday, November 13, 2023, and to approve said minutes as published. 1. 2.

7. [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 second 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.

8. [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 second 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.

9. [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 second of three readings of Ordinance No. 118-23.
- Motion to suspend the rules and act on Ordinance No. 118-23. 1. 2.
- Motion to adopt Ordinance No. 118-23. 1. 2.
10. [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 second of three readings of Ordinance No. 119-23.
- Motion to suspend the rules and act on Ordinance No. 119-23. 1. 2.
- Motion to adopt Ordinance No. 119-23. 1. 2.
11. [ORDINANCE NO. 120-23](#) – MAKING A PERMANENT APPROPRIATION OF MONIES FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES (THE OPERATING BUDGET) OF THE CITY OF AVON, LORAIN COUNTY, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024  
 The Clerk will read Ordinance No. 120-23 by title only.  
 The Chair declares this to be the first of three readings of Ordinance No. 120-23.
12. [ORDINANCE 121-23](#) – TO AUTHORIZE THE AVON POLICE DEPARTMENT TO EXERCISE THE SECOND OF TWO ONE-YEAR EXTENSIONS OF THE CITY’S CURRENT SALVAGE CONTRACT  
 The Clerk will read Ordinance No. 121-23 by title only.  
 Motion to suspend the rules and act on Ordinance No. 121-23. 1. 2.
- Motion to adopt Ordinance No. 121-23. 1. 2.
13. [ORDINANCE NO. 122-23](#) – TO AUTHORIZE THE AVON POLICE DEPARTMENT TO EXERCISE THE SECOND OF TWO ONE-YEAR EXTENSIONS OF THE CITY’S CURRENT TOWING CONTRACT  
 The Clerk will read Ordinance No. 122-23 by title only.  
 Motion to suspend the rules and act on Ordinance No. 122-23. 1. 2.
- Motion to adopt Ordinance No. 122-23. 1. 2.
14. [ORDINANCE NO. 123-23](#) – IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, DEVELOPMENT AND CONSTRUCTION OF ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF ADULT USE CANNABIS FOR A PERIOD NOT TO EXCEED NINE (9) MONTHS FROM THE EFFECTIVE DATE OF THIS ORDINANCE IN ORDER TO ALLOW THE CITY ADMINISTRATION, PLANNING COMMISSION AND CITY COUNCIL TIME TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND REGULATIONS ALONG WITH THE CITY’S CODIFIED ORDINANCES RELATIVE TO SUCH ACTIVITY  
 The Clerk will read Ordinance No. 123-23 by title only.  
 Motion to suspend the rules and act on Ordinance No. 123-23. 1. 2.
- Motion to adopt Ordinance No. 123-23. 1. 2.
15. [ORDINANCE NO. 124-23](#) – REAPPROPRIATIONS

The Clerk will read Ordinance No. 124-23 by title only.

Motion to suspend the rules and act on Ordinance No. 124-23. 1. 2.

Motion to adopt Ordinance No. 124-23. 1. 2.

16. ORDINANCE NO 125-23 - TO AWARD A BID FOR THE NORTHGATE SANITARY SEWER LATERAL REHABILITATION PROJECT

The Clerk will read Ordinance No. 125-23 by title only.

Motion to suspend the rules and act on Ordinance No. 125-23. 1. 2.

Motion to adopt Ordinance No. 125-23. 1. 2.

17. ORDINANCE NO 126-23 – AUTHORIZING THE MAYOR TO ENGAGE THE SERVICES OF THE LAW FIRM OF ROETZEL & ANDRESS TO ASSIST THE CITY IN PREPARING LEGISLATION TO REGULATE THE USE OF THE CITY’S RIGHT OF WAY

The Clerk will read Ordinance No. 126-23 by title only.

Motion to suspend the rules and act on Ordinance No. 126-23. 1. 2.

Motion to adopt Ordinance No. 126-23. 1. 2.

18. RESOLUTION NO. R-33-23 – TO RE-SCHEDULE COUNCIL’S SECOND REGULAR MEETING IN THE MONTH OF DECEMBER 2023, CURRENTLY SCHEDULED FOR WEDNESDAY, DECEMBER 27, 2023, TO MONDAY, DECEMBER 18, 2023, IMMEDIATELY FOLLOWING THE WORK SESSION OF COUNCIL

The Clerk will read Resolution No. R-33-23 by title only.

Motion to suspend the rules and act on Resolution No. R-33-23. 1. 2.

Motion to adopt Resolution No. R-33-23. 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, PLANNING/ECONOMIC DEVELOPMENT COORDINATOR

MR. GASIOR, LAW DIRECTOR

MR. PRESLEY, FINANCE DIRECTOR

MR. STREATOR, SAFETY DIRECTOR/PUBLIC SERVICE DIRECTOR

AUDIENCE:

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