

AGENDA

CANFIELD CITY COUNCIL

May 5, 2021 -5:30 P.M.

FRANCIS J. McLAUGHLIN MUNICIPAL BUILDING

1. Call to Order.
2. Pledge of Allegiance.
3. Roll Call: Quorum is Present - Meeting is in Session.
4. Proclamations & Presentations.
5. Approval of Minutes.
6. Reading of Communications.
7. Reports of Committees, Boards, Mayor's Report, City Manager, Finance Director, Chief of Police, Zoning Inspector and Public Works Superintendent.
8. Public questions from residents (or representative) related to the above referenced reports. Questions may be limited to three (3) minutes.
9. Recognition of Persons Desiring to Appear Before Council.

10. OLD BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

Public Comments

11. NEW BUSINESS

Note: After each item is placed on the table for action, public comments from residents (or representative) as to that business item are received. May be limited to three (3) minutes per person and thirty (30) minutes total.

- A. An **Ordinance** Authorizing The City Manager To Enter Into An Agreement With Rudzik Excavating, Inc. For Red Gate Farms Sanitary Sewer Extension Phase 1.

Description:

As part of the planned utility expansion of the City of Canfield sanitary sewer system staff in cooperation with our City Engineer's ms consultants inc., have been planning and designing the Phase I expansion of city's sanitary sewer system for future service to the Red Gate Farm property.

This project consists of the upsizing of current 12" sanitary sewer pipe from Hunter's Woods Blvd. to the east to the main interceptor at the Mill Creek Metroparks Bike Trail. The advertisement for this project was conducted on April 6, 2021, and on April 13, 2021. The bid opening and award took place on April 21, 2021. A total of six (6) bids were received for this project with the apparent low bidder being Rudzik Excavating, Inc. with a total bid of \$1,181,000.00.

The design of this project was completed utilizing Ohio EPA Loan funds from the Water Pollution Control Loan Fund (WPCLF) authorized by City Council through Resolution 2019-05 passed on June 5, 2019. The construction piece of this project will also utilize WPCLF funds and staff has submitted the application for this project to the Ohio EPA for consideration.

This Ordinance would authorize the City Manager to enter into an agreement with Rudzik Excavating, Inc. for the Red Gate Farms Sanitary Sewer Extension Project (Phase I).

Action Needed:

Approval of Ordinance authorizing the City Manager to enter into an agreement with Rudzik Excavating, Inc. for the Red Gate Farms Sanitary Sewer Extension Project (Phase I), contingent upon appropriate funds being awarded through WPCLF by the Ohio EPA.

Attachment(s):

Ordinance authorizing the City Manager to enter into an agreement with Rudzik Excavating, Inc. for the Red Gate Farms Sanitary Sewer Extension Project (Phase I).

Engineer's recommendation for bid award & Bid Tabulation

Resolution 2019-05

Public Comments

12. Council Comments.

13. Adjournment

Introduced by: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH RUDZIK EXCAVATING, INC.
FOR PHASE ONE OF THE REDGATE SANITARY SEWER EXTENSION PROJECT.

WHEREAS, the Council of the City of Canfield feels that it's in the best interest of the City of Canfield to extend a sanitary sewer line to Red Gate Farms for future development; and

WHEREAS, Phase One upgrades the City of Canfield's wastewater facilities on West Main Street from the Mill Creek Bike Trail to Hunters Woods; and

WHEREAS, bids were received for this project; and

WHEREAS, Council desires to proceed with this project and award a contract, contingent upon appropriate funds awarded through WPCLF by the EPA.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANFIELD, OHIO:

Section 1: The City Manager is hereby authorized to enter into an agreement with Rudzik Excavating, Inc. for Sanitary Sewer Extension Phase 1 to Red Gate Farms pursuant to the bid proposal.

Section 2: The cost of said service shall not exceed \$1,181,000.00, contingent upon appropriate funds awarded through WPCLF by the EPA.

Section 3: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2021.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Ordinance was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to-wit: _____

CLERK OF COUNCIL

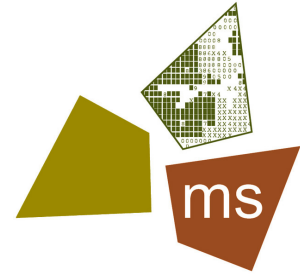
APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

ms consultants, inc.

engineers, architects, planners

333 East Federal Street
Youngstown, Ohio 44503-1821
p 330.744.5321
f 330.744.5256
www.msconsultants.com



April 27, 2021

Mr. Wade Calhoun
City Manager
City of Canfield
104 Lisbon Street
Canfield, Ohio 44406

**RE: Recommendation of Award
Redgate Sanitary Sewer Extension Project- Phase One
City of Canfield**

Dear Mr. Calhoun:

Based upon review of the bids received on April 21, 2021 and as tabulated, ms consultants, inc. recommends award of the project to Rudzik Excavating, Inc. 401 Lowellville Rd., Struthers, Ohio 44471 with a Base Bid Amount of One Million One Hundred Eighty-One Thousand Dollars and 00/100 (\$1,181,000.00). Below is a summary of all bids received.

<u>Contractor</u>	<u>Base Bid</u>	<u>Contractor</u>	<u>Base Bid</u>
Rudzik Excavating, Inc.	\$ 1,181,000.00	H. M. Miller Construction Co.	\$1,396,908.00*
Xpress Underground	\$ 1,386,270.00*	S.E.T., Inc.	\$ 1,424,051.12
Marucci & Gaffney Excavating Co.	\$ 1,389,162.50	J. S. Bova Excavating, LLC	\$ 1,570,168.00

**Mathematical error noted in bid.*


Upon review of the low bidder's submittal, the required items appear to be complete and satisfy the requirements detailed in the Information To Bidders. No mathematical errors were found on the bid form and all required documents and signatures are provided.

In reviewing the Bidder's Qualifications submitted with the bid, Rudzik Excavating, Inc. demonstrates the knowledge, ability and experience to complete the work in this contract. Their current and previous projects show a wide range of experience completing similar type of work.

A bid tabulation is attached for your files.


If you have any questions or need additional information, please contact our office.


Sincerely,


Craig J. Mulichak, P.E.
Sr. Project Manager


Attachment: Bid Tabulation
cc: Steve Preston, P.E.

File: N/01/61/04E78 – Canfield – Redgate Sanitary Sewer Ext/E# Bidding

BID TABULATION															
PROJECT CLIENT:		City of Canfield				BIDS RECEIVED:		4/21/2021							
PROJECT DESCRIPTION:		Redgate Sanitary Sewer Extension- Phase One				BIDS TABULATED:		4/26/2021							
ENGINEER'S PROJ. NO.		61-04E78													
ENGINEER'S ESTIMATE		\$1,498,222.00													
				Rudzik Excavating, Inc.		X-Press Underground, Inc.		Marucci & Gaffney		H. M. Miller Construction		S.E.T., Inc.		J. S. Bova Excavating	
ITEM NO.	EST. QTY.	ITEM DESCRIPTION	UNIT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	1	Mobilization / Demobilization	LS	\$33,957.00	\$33,957.00	\$62,000.00	\$62,000.00	\$20,000.00	\$20,000.00	\$41,567.00	\$41,567.00	\$49,020.00	\$49,020.00	\$89,585.00	\$89,585.00
2	1	Maintenance of Traffic	LS	\$28,720.00	\$28,720.00	\$28,000.00	\$28,000.00	\$40,000.00	\$40,000.00	\$38,113.00	\$38,113.00	\$117,259.57	\$117,259.57	\$52,100.00	\$52,100.00
3	2,810	Construction Layout Staking	LF	\$1.95	\$5,479.50	\$4.00	\$11,240.00	\$2.75	\$7,727.50	\$3.50	\$9,835.00	\$3.17	\$8,907.70	\$3.00	\$8,430.00
4	1	Maintenance of Utilities	LS	\$5,020.50	\$5,020.50	\$18,000.00	\$18,000.00	\$5,000.00	\$5,000.00	\$9,543.00	\$9,543.00	\$8,000.00	\$8,000.00	\$250.00	\$250.00
5	1	Video Documentation & Construction Photographs	LS	\$5,770.00	\$5,770.00	\$4,000.00	\$4,000.00	\$500.00	\$500.00	\$1,050.00	\$1,050.00	\$1,400.00	\$1,400.00	\$754.00	\$754.00
6	1	Erosion & Sediment Control	LS	\$53,100.00	\$53,100.00	\$6,000.00	\$6,000.00	\$1,000.00	\$1,000.00	\$3,061.00	\$3,061.00	\$1,278.00	\$1,278.00	\$3,545.00	\$3,545.00
7	1	Dust Control	LS	\$250.00	\$250.00	\$2,800.00	\$2,800.00	\$500.00	\$500.00	\$1,803.00	\$1,803.00	\$2,000.00	\$2,000.00	\$1.00	\$1.00
8	1,405	Pipe Removed, 24" & Under (Sanitary)	LF	\$4.00	\$5,620.00	\$5.00	\$7,025.00	\$4.00	\$5,620.00	\$11.00	\$15,455.00	\$3.00	\$4,215.00	\$1.00	\$1,405.00
9	360.00	Pipe Removed, 24" & Under (Storm)	LF	\$4.00	\$1,440.00	\$5.00	\$1,800.00	\$4.00	\$1,440.00	\$9.00	\$3,240.00	\$3.00	\$1,080.00	\$1.00	\$360.00
10	5	Manhole Removed	EA	\$400.00	\$2,000.00	\$950.00	\$4,750.00	\$1,500.00	\$7,500.00	\$424.00	\$2,120.00	\$500.00	\$2,500.00	\$1.00	\$5.00
11	2	Manhole Abandoned	EA	\$166.00	\$332.00	\$800.00	\$1,600.00	\$1,500.00	\$3,000.00	\$1,693.00	\$3,386.00	\$500.00	\$1,000.00	\$200.00	\$400.00
12	4	Catch Basin Removed	EA	\$400.00	\$1,600.00	\$200.00	\$800.00	\$300.00	\$1,200.00	\$344.00	\$1,376.00	\$300.00	\$1,200.00	\$250.00	\$1,000.00
13	1,310	Existing Sanitary Sewer Abandoned In-Place	LF	\$11.00	\$14,410.00	\$6.00	\$7,860.00	\$5.00	\$6,550.00	\$11.00	\$14,410.00	\$6.11	\$8,004.10	\$5.00	\$6,550.00
14	200	Asphalt Drive Replacement	SY	\$70.00	\$14,000.00	\$65.00	\$13,000.00	\$112.75	\$22,550.00	\$36.00	\$7,200.00	\$50.32	\$10,064.00	\$73.00	\$14,600.00
15	75	Concrete Drive Replacement	SY	\$102.00	\$7,650.00	\$85.00	\$6,375.00	\$90.00	\$6,750.00	\$73.00	\$5,475.00	\$111.00	\$8,325.00	\$107.00	\$8,025.00
16	55	Concrete Curb Replaced	LF	\$48.00	\$2,640.00	\$52.00	\$2,860.00	\$50.00	\$2,750.00	\$37.00	\$2,035.00	\$65.69	\$3,612.95	\$35.00	\$1,925.00
17	28	8" PVC - SDR 35 Sewer	LF	\$358.00	\$10,024.00	\$200.00	\$5,600.00	\$250.00	\$7,000.00	\$172.00	\$4,816.00	\$88.40	\$2,475.20	\$136.00	\$3,808.00
18	11	12" PVD-SDR 35 Sewer	LF	\$434.00	\$4,774.00	\$250.00	\$2,750.00	\$600.00	\$6,600.00	\$211.00	\$2,321.00	\$54.98	\$604.78	\$220.00	\$2,420.00
19	680	18" PVC-SDR 35 Sewer	LF	\$135.00	\$91,800.00	\$184.00	\$125,120.00	\$200.00	\$136,000.00	\$205.00	\$139,400.00	\$184.10	\$125,188.00	\$140.00	\$95,200.00
20	2,125	18" PVC-SDR 26 Sewer	LF	\$190.00	\$403,750.00	\$248.00	\$527,000.00	\$237.00	\$503,625.00	\$269.00	\$571,625.00	\$270.00	\$573,750.00	\$237.00	\$503,625.00
21	10	4-ft. Diameter Sanitary Manholes, Including #57 Limestone Base	EA	\$4,978.00	\$49,780.00	\$4,200.00	\$42,000.00	\$6,000.00	\$60,000.00	\$8,325.00	\$83,250.00	\$5,411.40	\$54,114.00	\$8,478.00	\$84,780.00
22	3	4-ft. Diameter Sanitary Manholes, Including #57 Limestone Base w/Concrete Collar	EA	\$7,559.00	\$22,677.00	\$5,600.00	\$16,800.00	\$7,000.00	\$21,000.00	\$9,298.00	\$27,894.00	\$6,548.27	\$19,644.81	\$9,420.00	\$28,260.00
23	275	6" Sanitary Sewer Lateral	LF	\$137.00	\$37,675.00	\$68.00	\$18,700.00	\$100.00	\$27,500.00	\$106.00	\$29,150.00	\$81.83	\$22,503.25	\$460.00	\$126,500.00
24	10	18" x 6" PVC Wye Connection	EA	\$1,163.00	\$11,630.00	\$1,200.00	\$12,000.00	\$700.00	\$7,000.00	\$700.00	\$7,000.00	\$1,511.72	\$15,117.20	\$1,215.00	\$12,150.00
25	2	Connection to Existing Manhole	EA	\$45,531.00	\$91,062.00	\$1,800.00	\$3,600.00	\$2,200.00	\$4,400.00	\$2,497.00	\$4,994.00	\$1,359.75	\$2,719.50	\$5,015.00	\$10,030.00
26	4,000	Premium Backfill	CY	\$12.55	\$50,200.00	\$68.00	\$272,000.00	\$70.00	\$280,000.00	\$34.00	\$136,000.00	\$42.33	\$169,320.00	\$44.00	\$176,000.00
27	1	Flow Maintenance & Bypass Pumping	LS	\$40,275.00	\$40,275.00	\$21,000.00	\$21,000.00	\$20,000.00	\$20,000.00	\$50,786.00	\$50,786.00	\$10,100.00	\$10,100.00	\$150,000.00	\$150,000.00
28	350	12" ODOT Type B Conduit	LF	\$42.00	\$14,700.00	\$24.00	\$8,400.00	\$35.00	\$12,250.00	\$65.00	\$22,750.00	\$36.34	\$12,719.00	\$72.00	\$25,200.00
29	10	24" ODOT Type B Conduit	LF	\$116.00	\$1,160.00	\$48.00	\$480.00	\$100.00	\$1,000.00	\$296.00	\$2,960.00	\$248.50	\$2,485.00	\$183.00	\$1,830.00
30	4	Catch Basin	EA	\$1,018.00	\$4,072.00	\$2,800.00	\$11,200.00	\$2,500.00	\$10,000.00	\$1,416.00	\$5,664.00	\$1,571.65	\$6,286.60	\$1,215.00	\$4,860.00
31	71	Bollard	EA	\$167.00	\$11,857.00	\$100.00	\$7,100.00	\$375.00	\$26,625.00	\$233.00	\$16,543.00	\$384.76	\$27,317.96	\$320.00	\$22,720.00
32	450	9" Non-Reinforced Concrete	SY	\$149.00	\$67,050.00	\$66.00	\$29,700.00	\$75.00	\$33,750.00	\$85.00	\$38,250.00	\$123.81	\$55,714.50	\$88.00	\$39,600.00
33	150	Asphalt Concrete Surface Course, Type 1 (448), PG64-22	CY	\$209.00	\$31,350.00	\$220.00	\$33,000.00	\$243.00	\$36,450.00	\$223.00	\$33,450.00	\$233.20	\$34,980.00	\$240.00	\$36,000.00
34	2,500	Pavement Planing	SY	\$6.00	\$15,000.00	\$6.00	\$15,000.00	\$4.85	\$12,125.00	\$4.10	\$10,250.00	\$4.29	\$10,725.00	\$5.00	\$12,500.00

BID TABULATION																	
PROJECT CLIENT:		City of Canfield				BIDS RECEIVED:		4/21/2021									
PROJECT DESCRIPTION:		Redgate Sanitary Sewer Extension- Phase One				BIDS TABULATED:		4/26/2021									
ENGINEER'S PROJ. NO.		61-04E78															
ENGINEER'S ESTIMATE		\$1,498,222.00				Rudzik Excavating, Inc.		X-Press Underground, Inc.		Marucci & Gaffney		H. M. Miller Construction		S.E.T., Inc.		J. S. Bova Excavating	
ITEM NO.	EST. QTY.	ITEM DESCRIPTION	UNIT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT		
35	250	Tack Coat	GAL	\$5.50	\$1,375.00	\$5.00	\$1,250.00	\$3.00	\$750.00	\$3.00	\$750.00	\$2.64	\$660.00	\$3.00	\$750.00		
36	2,000	Seeding & Mulching	SY	\$3.70	\$7,400.00	\$5.00	\$10,000.00	\$4.00	\$8,000.00	\$2.00	\$4,000.00	\$2.23	\$4,460.00	\$4.00	\$8,000.00		
37	2,000	Topsoil	SY	\$2.20	\$4,400.00	\$6.00	\$12,000.00	\$4.00	\$8,000.00	\$9.00	\$18,000.00	\$7.40	\$14,800.00	\$4.00	\$8,000.00		
38	1	Clearing & Grubbing	LS	\$2,000.00	\$2,000.00	\$8,500.00	\$8,500.00	\$10,000.00	\$10,000.00	\$2,386.00	\$2,386.00	\$5,500.00	\$5,500.00	\$4,000.00	\$4,000.00		
39	1	Allowance	LS	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00		
TOTAL AMOUNT BASE BID:					\$1,181,000.00		\$1,386,310.00		\$1,389,162.50		\$1,396,908.00		\$1,424,051.12		\$1,570,168.00		
DATE OF BID AS SUBMITTED:					4/21/2021		4/21/2021		4/21/2021		4/21/2021		4/21/2021		4/21/2021		
BIDDER'S FIRM:				Rudzik Excavating, Inc.		x-Press Underground, Inc.		Marucci & Gaffney		H. M. Miller Construction		S.E.T., Inc.		J. S. Bova Excavating			
AUTHORIZED REPRESENTATIVE:				Jerry Rudzik		David Sugar, Jr.		William T. Gaffney Jr.		John Smith		Dave Susany		Louis Joseph Bova			
TITLE:				President		President & Secretary		President		President		Secretary		President			
UNIT PRICE BID, TOTAL AMOUNT BID - ITEM, & TOTAL AGREE ?					Yes		No		Yes		No		Yes		Yes		
					DENOTES CORRECTION TO TOTAL AMOUNT FOR THE ITEM												
					DENOTES CORRECTION TO TOTAL AMOUNT BASE BID												

I certify that the Bid Tabulation is a correct and complete Tabulation of Bids Received on April 21, 2021 for the subject Project.



4-28-2021

Craig Mulichak, P.E.

ms consultants, inc.

Date

1. Xpress Underground Bid - Original bid submitted incorrectly, total amount of Item No. 3 incorrectly listed at \$11,200.00. Total Bid Amount increased by \$40.00.

RECORD OF RESOLUTIONS

Resolution No. 2019-05 Passed June 5, 2019

Introduced by: Mr. Neff
First Reading: June 5, 2019

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF CANFIELD FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canfield seek to upgrade its existing wastewater facilities; and

WHEREAS, the City of Canfield intends to apply for Water Pollution Control Loan Fund (WPCLF) for the planning, design and or construction of the wastewater facilities; and

WHEREAS, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANFIELD, OHIO:

Section 1: That the City Manager be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of Wastewater or Water facilities on behalf of the City of Canfield, Ohio.


Section 2: That the dedicated source of repayment will be sanitary sewer user fees.

Section 3: That is Resolution shall take effect and be in force from and after the earliest period allowed by law.

Section 4: This Resolution is hereby declared to be an emergency measure necessary for the preservation of public peace, health and safety of the inhabitants of the City of Canfield, Ohio. Said emergency exists by reason of the fact that the application deadline is July 1, 2019 and this Resolution will not be in effect until July 5, 2019.

Section 5: That this Resolution and all deliberations relating to the passage of this Resolution were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS 5th DAY OF June A.D, 2019.


PRESIDENT OF COUNCIL

ATTEST:


CLERK OF COUNCIL

RECORD OF RESOLUTIONS

Resolution No. 2019-05 Passed June 5, 2019

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Resolution was posted in a prominent place at the Municipal Building, Canfield, Ohio for seven continuous days, to-wit:

CLERK OF COUNCIL

APPROVED AS TO FORM:



MUNICIPAL ATTORNEY

MINUTES
CANFIELD CITY COUNCIL
PUBLIC HEARING
APRIL 21, 2021- 5:20 P.M.

The meeting was called to order by Mr. Morvay, President of Council. The Clerk called the roll to which a quorum responded as follows: Mr. Duffett, Mr. Morvay, Mr. Nacarato, Mr. Neff and Mr. Tieche.

The public hearing was advertised in the Vindicator on March 24, 2021

An Ordinance Amending Water Department Standard Specifications

MR. MORVAY: This is OLD BUSINESS, Agenda Item A. Wade could you just brief us on this please?

MR. CALHOUN: This is an Ordinance amending our water department specifications. Staff has been working with the city engineer to make amendments to our water specifications, that were most recently established, amended back in August of 2019. So, specifically this Ordinance amends Chapter 11, Section 1, Appendix F, adding a number 24; which deals with where water lines are being placed when it comes to property and the curb. It just updates our current water specs to add that additional item into that appendix. After we passed that in 2019, in further review we realized our engineer didn't include that as one of the items that needed to be in there. This sort of just cleans it up and adds it into the Ordinance.

MR. MORVAY: Thank you, Wade. Council, any questions or concerns about this Ordinance? Hearing none, I'll open it up to residents. Hearing none, this meeting is adjourned.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

MINUTES
CANFIELD CITY COUNCIL
REGULAR MEETING
APRIL 21, 2021-5:30 P.M.

The meeting was called to order by John Morvay, President of Council, followed by the Pledge of Allegiance. The Clerk called the roll to which a quorum responded as follows: Mr. Duffett, Mr. Morvay, Mr. Nacarato, Mr. Neff and Mr. Tieche.

Staff present: Mike Cook, Zoning Inspector; John Rapp, Public Works Superintendent.

Absent: Christine Stack-Clayton, Finance Director. Charles Colucci, Chief of Police arrived at a later time.

MR. MORVAY: I just wanted to start out. I know there is a list here of people that want to speak out about the CRA and the proposals that they've made, and that's fine. We will not be taking action tonight about the residential abatements. It's not on our agenda. There is a section that we'll come to that if you want to appear before Council you're more than welcome. You can talk about what it is about the CRA and what you feel. But I will have to ask you that you keep your comments brief. We usually allow 3 minutes, per person. With that in mind, keep your comments brief and to the point.

Under **Proclamation & Presentations**, there were none.

Under **Minutes**, the Minutes of the Regular Meeting on April 7, 2021 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MR. TIECHE: I have nothing this evening.

MR. NEFF: I have a verbal communication that the Parade Committee is trying to put on a traditional parade.

MR. TIECHE: 4th of July?

MR. NEFF: 4th of July, I'm sorry. We're just going to let the committee and the city and township try to ease what restrictions might come up. That's the latest news that I have.

MR. DUFFETT: I have none.

MR. NACARATO: I had a couple residents reach out to me about the fixing of the street lamps on the north end of the Green. They were very happy to see that, that finally got accomplished. They said that it looks so much better now that it's all lit.

MR. MORVAY: I really don't have any. I really have a comment. Today, especially today because of the council meeting tonight. I must have received 9 or 10 phone calls today regarding how we were sneaking through this abatement for residential homes. One of the most frustrating things with this position is, the rumor-mill. I tell people, believe half of what you see and none of what you hear. It occurs every time. Look at the crowd tonight. We've never had this many people in this room. I'm sure

it was because of this abatement that we were going to pass tonight and sneak it through. Please, my number is published, all the other councilmen here, I know their numbers are published. Mr. Calhoun is very accessible. Please get the information from the source. It would save a lot of anguish. That's my only comment. Wade do you have any communications for us?

MR. CALHOUN: Just a few. The citywide brush pick-up began this week. It started in zone 1 of the city. That information was published on the website. They will go through each zone. There are 4 zones in the city. We ask that residents put their brush out to the curb at the beginning of the week, preferably Sunday night or early Monday morning. As the contractor goes through the city they'll pick up the brush but they may not come back through. If you're missed on a pick up, the contractor may not pick it up, however our public works does a pretty good job, if we get a call by someone that has brush, we'll take care of it, if the contractor is not able to get it. As you mentioned, the CRA Housing Council recommendation, Council should have all received a copy of that yesterday. It's a very thorough researched recommendation of what they were asked by Council to provide. If Council decides to do anything with residential tax abatement, those are their thoughts, feelings and research. It's in Council hands now. As we mentioned there is no action this evening. That's all I have.

Under **Reports** of Committees, Boards, Mayor's Report, City Manager, Finance Director, Chief of Police, Zoning Inspector and Public Works Superintendent.

MR. TIECHE: Our Parks Board Meeting was prior to our last meeting and I gave the report at that time. I have no report this evening.

MR. NEFF: The same with us, Planning & Zoning, Mike Cook our Zoning Inspector may speak to any issues when his time comes up.

MR. DUFFETT: I have two reports. One is the Canfield COVID Defense Task Force. I'd like to put this letter on the record.

To the residents of the Canfield City and Township:

A year and a half into the Canfield COVID pandemic and the end is clearly in sight. We would like to thank each of you for taking those steps necessary to protect yourselves, your family, your neighbors and others in the Greater Canfield Community from the scourge of this insidious virus.

Our Canfield COVID Defense Task Force, whose members include a broad cross section of Canfield community citizens from the public, private and health care sectors, has been working hard to ensure that you have all information needed to effectively deal with the virus. Formed in October of 2020 at the request of Governor Dewine, the Task Force has been educating and informing Canfield residents on all aspects of the virus, including:

- The Four C's (**C**are for others: **M**ask Up; **C**lean Your Hands; **C**heck Your Distance; and **C**laim Your Vaccine)
- Public Service Announcement (PSA's), featuring Canfield residents, describing the impact of the virus. Not only from those that caught it but by those who had their family impacted by it.

More recently, the Task Force has been emphasizing the need for all Canfield residents to be vaccinated against the disease.

We realize that vaccinations are a personal choice. However, their effectiveness is not in dispute and being vaccinated is the single most important step you can take to accelerate our return to a pre-pandemic normal.

As the elected leaders of the Canfield community, we encourage all Canfield residents to get vaccinated as soon as they are eligible. In so doing, we will all soon be enjoying Summer of 2021 in our great Canfield community.

This is from myself and from Brian Governor who is on the Task Force with other members, Mayor Kay and the Superintendent. We thank them and all that are serving. The main message is we can't let our guard down. You have to still do the 4 C's.

The second report is the Mayor's Monthly Report to Council. We took in a gross collection last month of \$6,831.06. Our Expenditures were total to the State Treasurer \$565.00. Also, total payment to the indigent alcohol drivers fund of \$579.00 for a net collection to the city of \$6,252.06. That completes my report.

MR. TIECHE: Question. Mayor if I'm reading your report right isn't that indigent drivers fund just \$14.00 and the total that plus the other ends up being the \$579.00?

MR. DUFFETT: Yes, that's correct.

MR. NACARATO: Design & Review met the previous Tuesday. I was absent for that meeting. I had spoken to our Chair, Mrs. Roman and it was a big agenda but everything had gone through and she said there were no issues. I'll go with that as my report.

MR. MORVAY: I sit on the Fire District. We had some equipment donated to us, it was a grain rescue apparatus. They wanted to stay anonymous, so I won't tell you who donated it but we had a truck come in two weeks ago and our guys trained to rescue somebody that would fall into a grain elevator and learn how to rescue them with this new equipment. There were about 20 firefighters that did get training on this. It was an interesting thing to watch. COVID has slowed way down. We had one transport all month. That's a good thing. Other than that, the Fire District is running strong. Just a reminder, if you're a citizen of Canfield City or Township, if you have an ambulance ride by our Fire District, we will bill your insurance company and what your insurance company doesn't pay, you're not responsible for because you already pay taxes to the Fire District. So, we will look for insurance money but there will not be any sort of a bill for the balance. That's one of the services that the Fire District has. We now have 3 ambulances. If you've read the paper, watched the news, there are other cities and townships that are having issues with transports. Getting an ambulance to the scene to transport people to the hospital. I guarantee you that we do not have that problem in the City of Canfield. Our Firefighters are trained, they're paramedics, we have 3 ambulances and they run efficiently. That concludes my report. I'll go to John Rapp, our Public Works Supervisor for his report.

PUBLIC WORKS SUPERINTENDENT. Good evening. We have JCM Contracting on Camelot Court doing upgrades to the storm drainage system over there currently. We sent out notices that there is going to be some materials stored on that cul-de-sac and to be careful around that. But all emergency vehicles, mail trucks can get around it safely. We're about half way through our meter pilot program. We're installing AMI devices on the outside of the homes right now. We don't need entry at this point, we've

already been in. It's going very well. Repairing of numerous sink holes, storm drains, we repaired a water leak on Railroad Street just the other day. We continue our work with the RCAP GIS System for all the utilities. We're nearing the end of the collection. Most of the city is current. We just finished up the landscaping on all the city properties and continue grass and lawn maintenance. We got our last mow yesterday, before the snow hit. So, we got lucky on that one. Wade and I, met with representatives regarding the new salt dome installation at the Public Works shop. I thought that went pretty well. We'll keep you informed as we get closer to that. Right now, we have soil boring performed by a company to see what we need as far as the footers. That's all I have.

MR. MORVAY: Thank you, Mr. Rapp. I don't see Mrs. Christine Clayton, our Finance Director, is she here?

MR. CALHOUN: She is not. She is out of office this week. She did not provide a report, other than the last report she gave, the State Auditor's were going to start the audit. That did start, I believe this week. She's been working with them getting them the appropriate information to them, for them to conduct the annual audit for the City of Canfield. Most of that is being done remote. In today's day and age, most of the information is being shared electronically.

MR. MORVAY: Thank you, Wade. I'll move to Mr. Cook our zoning inspector.

ZONING INSPECTOR: For the month of April, we issued 18 permits for a total valuation of \$318,881.00. One of them being a new construction home on Saybrook. I'm working on a permit for a duplex on Fair and Oak on the corner. The storage building got delivered at 485 West Main Street, they'll be constructing that. At Planning & Zoning last week, we had a recommendation for a replat for the dance studio on Manor Hill. We also have a recommendation for retail sales in the B-2, General Commercial District. We're working on adding a daycare facility to our R/O District. We're working on defining that, so we'll have that for you next month. We also set a public hearing for MCCTC, they'll be applying for another building on the property, a training center; which the students will erect, dismantle and erect again. They'll use that for training.

MR. MORVAY: Thank you, Mr. Cook. I'll move on to Chief Colucci.

CHIEF COLUCCI: Over the last week or two we've been reviewing all of our 2021 budget projects, organizing them, getting everything in Motion, prioritizing them, certain purchasing, this week a contract will be signed with Murphy Contracting for the dispatch renovation. We're very excited about that. We've heard great things about Murphy Contracting. Next week our dispatch center is going to be moved temporarily to our conference room. I do not expect any interruption in public service whether it be a 911 call or a regular phone call or a radio call or anything like that. We don't expect any disruption in service. We have 3 dispatch consoles essentially. We'll be moving one at a time. We got some insurance there that if something would go wrong, we have our other consoles up and running. So, we're looking forward to moving forward with that project.

As the majority of this room (I would imagine) knows and watched yesterday, justice was delivered. I'm very, very happy that we're not watching T.V. and watching any city streets burn or violence. I personally, encourage everybody to pray for our country and get through this difficult time. I'm glad justice was served. I look forward to continue to work with our community and agencies across our area, we work with their communities and we work together as a whole, to continue to work together with the community and bridge the gap. Look forward to working with everyone in every community, especially Canfield. We've got some interesting plans in place to continue building those relationships.

That's one of the things that kept a lot of us in Canfield is that relationship with our community. It's always been strong. We'll continue to do that. I also would like to take a quick moment to compliment one of our detectives, Detective Brian McGivern. Due to a shortage in staff, Brian was moved from Detective out to Patrol. I received a compliment from a resident that he stopped, he saw somebody walking a dog and he stopped, got out, talked to the person, pet the dog. It was a good community interaction. It was a compliment I received and I felt it was important that I pass it along tonight and say thank you, Brian McGivern. We've always had our officers log some positive social interaction on a day to day basis. There were times I would see, got a coffee from BP or GetGo. We turn those back. We want something more meaningful. That positive interaction that Brian had with the resident and her dog was very impactful and meaningful to me. I wanted to thank Brian for that.

MR. MORVAY: Mrs. Patty Bernat is our Clerk. Patty do you have anything for us this evening?

CLERK: Just a reminder, the Arbor Day Celebration will be at C.H. Campbell this year on April 30th at 10:00, if anyone would like to attend.

MR. MORVAY: Thank you. I'm going to move over to our City Attorney. Atty. Mark Fortunato.

ATTY. FORTUNATO: No report tonight.

MR. MORVAY: Okay. Mr. Calhoun, our City Manager.

MR. CALHOUN: We had the bid opening this morning for Red Gate Sanitary Sewer Phase 1; which upsizes the current sanitary sewer line from Hunters Woods, to the bike trail, to the 18-inch line. The apparent low bidder was Rudzik Excavating. It came in at just over 1.1 million dollars. Once the engineers verify all the bid documents and calculations, they'll provide a recommendation letter of award and council will see that legislation on a future agenda.

The cemetery mausoleum renovation has been completed. John Rapp and the Public Works guys did a phenomenal job. One in removing the plywood that had been on the mausoleum for some years now. They did a fresh coat of paint on doors, fixed the front doors, put some plexiglass behind it. Really, they just cleaned it up. Anywhere there was a broken window or plywood, they cleaned it up real nice with some louver type of cedar planks, dressed it up, just a tad. Then last week they finished it off with some really nice landscaping. They tore out those bushes that were there and put some rocks down and some nice landscaping. Parks Garden Center gave us a landscaping design that is low maintenance and would fit with the cemetery. I'm proud of what those guys did. This was something the Parks Board talked about and we were able to accomplish it, mostly in-house, other than the material cost, I think we're talking probably less than \$5,000, when it's all said and done. I think it's a well-deserved, well-needed upgrade to the look of the mausoleum. I'm really proud of that.

Finally, the International Association of Administrative Professionals, promotes National Administrative Professional Day. The observance was first launched in 1952 when the Secretary of Congress Charles Sawyer proclaimed June as National Secretary Week. In that same year June 4th was designated as National Secretary's Day. The name was changed to Administrative Professional Day in 2000. It was also moved to April. Today April 21, 2021 is National Administrative Professionals Day. As a celebration for every administrative professional that works in the city, we bought lunch for everybody today for their hard work and continued dedication to the City of Canfield. For me personally, in recognition of all the administrative professionals that work in the city, as well as any other organization I would like to

extend my appreciation, most importantly tonight I want to recognize Patty Bernat as our Clerk of Council for everything she does on a daily basis, in support of the City Council, city staff and probably almost every resident in the City of Canfield. She truly is the paperclip that holds everything together. I just want to recognize Patty on National Administrative Professionals Day. (applause)

MR. MORVAY: This meeting runs very efficiently because of that young lady right there.

MR. CALHOUN: That's all I have. For the agenda items, I'll provide a report as we tackle them.

MR. MORVAY: You've just heard these reports from the different committees. Now is the time, that is if you have questions specifically to these reports you've just heard. If you would, take the podium, state your name, address for the record. Please keep your comments brief.

MR. FRANK MICCHIA: Good evening, Frank Micchia, 220 Glenview. In regard to Red Gate, we bought that in 2001 and it's still not paid for. We have about 4 million dollars tied up in it. Nobody has expressed a serious interest in going there and we're going to spend another million dollars. Why are we pouring more money down this rat hole? If our intent is to develop it for residential housing, there is plenty here in Canfield. We don't have that kind of demand. I certainly am against, personally, investing anymore money in this area. Thank you for your time.

MR. MORVAY: Frank can I just make a comment?

MR. FRANK MICCHIA: Absolutely.

MR. MORVAY: You say that there has been no interest in the property. There has been interest in the property. That's all I'll say.

MR. MICCHIA: As far as I know there has been no serious interest.

MR. MORVAY: There has been serious interest in the property. If the City of Canfield is going to grow, that's the property we need for it to grow. That's the acreage we need. Like any business, the city has to grow as well as a business has to grow. We're investing in the future, Frank.

MR. MICCHIA: We live in a city of decreasing population. We have plenty of lots here in the city. Thank you.

MR. MORVAY: Thank you.

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. I just want to give thanks to John and your personnel for the uplift to the mausoleum. I am part of the Parks Board and I appreciate your time and effort in making that, because that has been an eyesore for many, many years. I appreciate that. I also wanted to ask because the COVID money has been talked about in other meetings, is it possible to use any of this COVID grant for the community and the parks to uplift our community and the children and activities. Last we spoke, we were supposed to receive that money and Christine was supposed to look to see how it can be allocated or what we can use that money for. We haven't come out of the darkness. I think it would be a good idea to maybe allocate some of that to the community in whatever means as we start moving forward and the summer comes and people ae out and the parks and that. Just for consideration. Thank you.

MR. MORVAY: Thank you Kathryn. I'll entertain anybody that has a question about the reports that you've just heard. Now would be the time. Hearing none, we'll move on.

Under Persons Desiring to Appear Before Council:

JENNIFER KLUCHAR: Jenny Kluchar, 64 Neff Drive. I am here to ask that you listen to some comments. I've been studying your Comprehensive Plan, I've been studying this; which I assume it's a public record, your CRA Housing Board Proposal. I notice here that it says, in the first paragraph that it's a significant tool to use a tax abatement. There was some discrepancy over the statistics of how many children would come in for housing. Apparently, the Census Bureau is saying 41 per 100. That lined up with Columbiana. Interesting enough, I did have a conversation with Dr. Mook today, the Superintendent of Columbiana and I've been in a few meetings with him, regarding school issues. I can say that he is not quiet about the fact that the CRA in Columbiana has been detrimental to their schools and the school funding. I'm noting that according to the report here that public meeting where our President Mrs. Decapua of the school board and past President Mr. Wilkinson met with Mr. Knoll and City Council, that was February 24th. I would have to concede that no there isn't any sneaking around. That was a public meeting, it was February 24th. But I guess my shock after the listening to that meeting was why are we still talking about this. As though our school board and our superintendent did not present enough information to prove just how detrimental this is going to be. So, if we're going to talk about flawed premises, I spoke to, like I said, Dr. Mook and what he had to say about it and his district has been impacted by it. In looking at the Comprehensive Plan here, I noticed that there are several things that I thought were so wonderful about Canfield. Collaborate on school facility planning. When I was here in February and asked about sidewalks on Neff Drive, since we're going to be ripping it up anyway, and Mr. Calhoun, you told me that the city couldn't afford sidewalks. It was also brought up about a school, and this was in the brochure, the Safe Routes to School by ODOT, a \$400,000 grant but we didn't qualify because we didn't have enough kids walking to school. We have a new Superintendent, perhaps talks can be open about more kids walking. I know as a parent living on Neff, I'd love it if my child could walk to school. But he can't because as I told you in February it's not safe to walk on Neff Drive. But yet, I notice under your Canfield Comprehensive Plan that number one, under Housing & Neighborhoods is promote walkable mixed-use neighborhoods. It shows a picture of somebody pushing a stroller. I would think that if you want walkable mixed-use neighborhoods a sidewalk would be an answer. Going back to this request, it's a tool, but it's a tool that doesn't show up until double digits of your pages, when all these other wonderful things, are in the front. I would like to see this promote development of underutilized properties on the Village Green. Why aren't we working on that? Why aren't we talking about that? Boy that would be fantastic. I'd love to buy one of those condos. Those are my thoughts. You've got this wonderful plan but yet you're digging into the back pages to find something that is going to hurt the schools and we have no evidence that it's actually going to help the city. Thank you. (applause)

MR. MORVAY: Thank you, Jennifer.

TRACI DECAPUA: Traci Decapua, I reside at 427 Millbrook in Canfield. I am the President Elect of the Canfield School Board. Again, I'm just here to say my peace on behalf of the school board as well. A Community Reinvestment Area or CRA; which is what we've been talking about, is really not a bad thing. On the contrary, this type of tax incentive was created to attract and retain business investment, create jobs, reduce blight and increase other economic and fiscal goals. Thus far, the City of Canfield has

approved abatement incentives for business and commercial new construction and remodel and for residential remodel. These are areas that have been targeted by the city and its residents for many years. In order to grow economically, we must bring business to our downtown area; which is what we've talked about in our comprehensive use plan. We need to become progressive and inviting. As a spokesperson for the Canfield Board of Education we wholeheartedly agree with this. We are in agreement for the business/commercial piece as well as the residential remodel piece. By enticing business and commercial developments, we are giving potential business the opportunity to make Canfield their home; which in turn will generate new job, increase payroll income tax, and we will have new people who are vested in our community. But that's where it ends with the school board. The proposed abatement for residential new construction housing, in the city will have a devastating impact on the survival of our schools, our students, their families and our community as a whole, including city and township. I know you've heard this over, and over, and over again, why do people move to Canfield? The number one reason, our schools. We are competitive in the academic, athletic and performance arenas and our administration and staff are the best of the best. The passing of this abatement will benefit new construction property owners and developers. What is the benefit for the #1 reason families move to Canfield? As Dave will explain the numbers will cripple our schools for years to come. Not to mention there are a multitude of services that will be impacted, our Fire District, MRDD and our Public Library. The city has done its research on the abatement programs in other areas. I agree, but none have been comparable to Canfield. Canfield is not an undesirable area that needs to draw families by incentivizing housing sales. There is no shortage of buyers wanting to move to Canfield. The homes and developments are being built in the city as we speak. No tax incentive will be necessary to sell those homes, of this I am certain. If an abatement is approved, then that is basically the city giving away unnecessary tax revenue. At what cost? Who is going to lose the most? I know of 2,500 reasons why this new construction tax abatement must not pass. Thank you. (applause)

MR. BILL KAY: My name is Bill Kay, I live at 755 Blueberry Hill. Gentleman, I want to thank you for your efforts on behalf of the City. I know that's a tough seat to sit in. We really appreciate your efforts. I'm here to speak on the CRA and I will be brief. Am I correct when I say the real estate market in Canfield is already very healthy at this time? I see a lot of heads going like this, so I must be right. Two of the reasons people move here are the Police Department and the Fire Department, they're excellent. The other reason is the Canfield Schools. They don't move here for the nightlife. (Laughter) Many of these people who will be purchasing these homes will be doing so because Canfield is a nice place to raise a family. I can attest to that. Many of these new residents will enroll 2,3,4 students and the cost of educating each student in Canfield is, I believe around \$9,500. That gives you an idea of the cost we're going to be looking at. Who's going to pay for these new students? Will the current city tax payers be asked to pay? Will we be asked to pick up those costs; while the other people go here for nothing? Is there a residential tax abatement plan for the city residents who have been very loyal and supported the school system for the past 30, 40 or 50 years? Are we going to get a break? Education of our youth is everyone's responsibility. If you move to the community, you become a full shareholder. I urge the members of City Council to vote no on the tax abatement for new residential single-family homes. Thank you. (Applause).

MR. MORVAY: This is probably going to be wrong but is it Gary Stanko?

MR. GARY STANKO: Good evening. My name is Gary Stanko and I live at 441 Findlay Avenue. I moved here 4 years ago from the Township of Boardman to the City of Canfield. The primary reason I moved here was the school system. The police department, fire department was great. I used the ambulance once. I had no charge for it, it was great. I appreciate the stick pick-up, the appreciate the leaf pick-up.

I don't have to buy plastic bags. But primarily I believe that we have a duty to educate our children. If we vote for a tax abatement for new residents and don't do anything for the residents that support it, the school system, it's the wrong thing to do in my opinion. First of all, it took 10 years, approximately 10 years to pass a school levy here to support the schools. At this point in time, if we have to build new buildings for the school to educate, if we have to build new things to support the children, giving a break to new residents here are not the right effort, in my opinion. I would ask Council Members not to do that. I would agree with the previous speakers and what they said. It's not fair to the school. It's not fair to the other entities that are supported by the property taxes. It's not fair to the loyal residents of Canfield, who have been here and supported what the Council has asked and what we were asked to do. That's my speech. (Applause).

DAVID WILKENSON: Hi, Dave Wilkenson, 4641 Canfield-Niles Road. I am on the school board. As you consider the CRA Committees recommendation of a 10-year, 100% abatement or a 15-year, 50% property abatement on any new residential construction project, I'm here to reiterate the position of the Canfield Board of Education; which is we oppose any residential construction tax abatement of any percentage and any length. I'm a businessman and a numbers guy, as you guys all know. As many of you are aware, Ms. Prince, Mrs. Decapua and I have created a detailed expense base, rather than revenue base, expense based financial models forecasting the abatements on the finances of the district. In that model we were able to enter, data like, length of abatement, average home price, and the number of students per home constructed. I was hopeful that we could find some sort of a sweet spot that we can all come to an agreement where it would be both beneficial to the city and the school district. Instead what we learned, in studying our model, is that any abatement has a major detrimental impact on the district budget. Even a 5-year abatement, forecasting just 2 students per 8 new homes built, as opposed to the two students per five homes built, the CRA Committee is forecasting, left the district in the red beyond 2036 and reached an estimated low point of \$744,000 in new annual unfunded pupil cost in the year 2026. An abatement of 10 years, took us to 1.4 million dollars in unfunded pupil cost in the year 2031. Still \$776,000 per year, in the hole, in the year 2036. A 15-year, 50% abatement, leaves us in the red of almost 1 million dollars per year in the red in the year 2036, fifteen years from now. An accumulative debt based solely on protected expenses of over 9 million dollars in that same year. These unfunded student cost will have to be paid for by all of the current taxpayers in the city and the township, all in the name of faster growth for the city; while the city continues to receive its income tax. Our projections indicate that the 5-year option alone would cost current city and township taxpayers an average of 2.1% more in taxes over the next 10 years. Obviously 10- and 15-year abatements are much, much costlier and using the CRA Committees estimate of 2 students per 5 homes is even worse. To be clear, students will come to Canfield as a result of the abatement, either through an existing home sold to a family as the current residents downsize through the abated new home, as we would see in a Villa situation, or to the newly constructed tax abated home. It will mean that not a single new dollar of revenue to schools, either from the state (because we are on the state guarantee) or from local dollars. Additionally, you will attract new construction away from the township, as was discussed in that CRA Committee Meeting. Where new construction typically means more new dollars to the district under our current unfair state funding models. We didn't design this funding system but all taxpayers in Canfield and the township are victim of it. It affects Canfield in negative ways that are not comparable to other communities that have been mentioned by the CRA Committee. Communities like Columbiana, East Palestine, East Liverpool and Cleveland are simply not good models to base our decisions on. Communities that are comparable to Canfield in terms of both school funding and housing markets are not being discussed because they are not offering new residential new construction abatements, in the State of Ohio. The quality of the schools are the number one reason why people move to Canfield, as everybody who is going to talk is going to mention.

By voting for any sort of new construction residential tax abatement, no matter what length, no matter what percentage, you are voting to financially harm the very thing that attracts people to our community and drives better property values. It is extremely short-sighted and, in our opinion, completely unnecessary to bring new families to our community. Please for the sake of our students, for all of the property owners in the community, make the right decision and vote no on residential new construction tax abatements. (Applause).

MR. BOB SMALLWOOD: Hi, Bob Smallwood. I live at 9504 Calla Woods Drive in Canfield. I've been a resident of Canfield for 50 years. Having spent a lot of time listening to the conversations and looking at the financials, I review them very detailed. I spend a lot of time reading up on Dave's financials and even questioning and challenging them on the numbers. It really does not make any sense to me for you to vote for something like this. It's an unfair situation we have in Canfield when it comes to funding our schools. We're on this state guarantee as Dave says. We're given a limited amount of money from the state, so any dollars that we have to come out of pocket to fund for education expenses with these children are going to have to be brought to the taxpayers to pay; either through a school district tax, some kind of sharing arrangement with the current income tax. There are a lot of things that I doubt you're going to want to do and us as residents are going to want to do, as well. I feel very strongly, and I support, we all support everything for this community but we really believe in our hearts that you really need to vote no on the CRA. Thank you. (Applause).

MR. MORVAY: Thank you, Bob.

MR. FRANK MICCHIA: Good evening, Frank Micchia, 220 Glenview. I'd like to thank all the people for their comments on the CRA. I'm going to change the subject and get back to some more mundane business. I have 3 items actually. Item number 1: I forwarded information about Akron installing speed tables. Can Canfield find the wherewithal to try one? There are many appropriate places. I've tried many times to get the city to be more proactive on speed control devices. The ball is still in your court. Let's do something. Item 2: Driveway house numbers. I have broadcast to several people a straw man idea of painting house numbers on driveways. This would be a plus for safety forces and police. A house could be easily located, day or night, with these numbers on the driveways. I'm bringing this up to see if there is any interest in doing this by any community group. There are many options. Do it free as a community service. I'm not sure if our driveways could be stenciled without permission. It could be a fundraising effort, a donation of \$2.00 or something like that. Depending on interest, it would take a sizable effort to cover the city. Teams could be organized to volunteer to cover a certain area or just as a fundraiser to person who want to have their driveways numbered. I would be happy to get them set up. Are there persons who are willing to do this? A set of stencils and a gallon of paint will be ordered by me to pilot run this thing on my driveway and few of the neighbor's driveways. Once I get this done, I'll invite local official, the police, safety forces, council to come and look at it and see what it looks like and see if we can really do this. It would be a big plus. Thank you for your time.

MR. MORVAY: Frank there was somebody, an independent person that they came up my street and painted all the numbers on our curb. I think it was \$20.00, they charged to do it. Some of the streets are being taken care of by somebody.

MR. MICCHIA: I'm speaking of letters that are a six-inch size and they are yellow. They can be made to sort of glow in the dark, if we want. They can be made to be reflective. I'm just throwing this out as a straw man, if you have any interest, I'll be glad to help.

MR. MORVAY: Thank you, Frank.

MR. JOE KNOLL (Superintendent): Good evening. Joe Knoll, 100 Wadsworth. That's the middle school address. I feel like I live there. I had some time to review the Minutes from the Community Reinvestment Area Housing Council Meeting on April 15th. In those minutes from the February 24th meeting; which I came that night. There were some mistakes that I really wanted to point out. In those Minutes it says they heard quite a bit from the school district on what their position is -they being the Council. I think they were just mistaken as to the facts- that being me. They indicated at the February 24th meeting that they would anticipate 2 children per new home. When I read that, I said, this doesn't sound like what I remember saying. I went to my presentation and on Page 6 of my presentation I made a comment that Red Gate could be like a 200 single family homes, we're going to assume that there will be 100 homes and half of them with children. Now, just because I put it on my presentation doesn't mean I said it. I know how that goes too. Sometimes you see things and you read them but they don't come out the right way. I went back to the Canfield City Council, that night, the meeting minutes and you have a pretty cool thing here, it quotes word for word; which is pretty neat. We might want to look at that. It's awesome.

MR. MORVAY: That's Mrs. Bernat.

MR. JOE KNOLL (Superintendent): You're good. The Minutes say there is a possibility of maybe 200 single family homes. This is me talking. I say, for the sake of discussion, not all of them are going to have kid, let's say half of them do, let's say 100 homes with each one having 2. I bring that up just for clarity, just to make sure we're on the same page. I would never come in and say that every home built in Canfield is going to have kids. I know there are studies, I know there are reports, but at the end of the day, these are just possibilities, they're assumptions, we really don't know. There is no crystal ball on what's going to happen. We build new homes and how many children are going to arrive to Canfield. But there are some facts about CRA's and I want to share them. Fact number 1: Community Reinvestment Area (CRA) is an area where new housing construction and repair of existing facilities or structures are discouraged. That's from the Ohio Revised Code 3735.65. The Ohio CRA Program was created to promote revitalization in depressed areas. The City of Canfield is not a discouraged or depressed area. I haven't been here that long but I'm here for a reason, as Superintendent and the schools are awesome. That's why I'm here and so is this community. The median value of single-family homes in Canfield is higher than similar communities in the region and is projected to increase by 18% by 2023. That's from your Canfield Comprehensive Plan. Another fact, a 100% CRA Abatement will eliminate 100% of the assessed value of a residential new construction; which includes 100% of the property tax revenue the school district would receive. For Canfield, that is significant because around 70% of our dollars that come in are from you. Seventy percent of our local property taxes. That's not true for every school district. But in the eyes of the state we are a richer school district. That's why we are burdensome from a local level. Another fact and some of my colleagues already mentioned this, we're not the only one that's going to be effected. Those of you that pay the city property tax bill you know when you see, your money not only goes to the schools but it goes to the DD (which I am passionate about, as you know), Parks, Children's Services, City, Library, Mental Health and TB Clinics, senior citizen's and fire. But the reality is we are the biggest fish in the pond. Fifty-seven percent of those dollars come to Canfield. When additional levies are passed, some folks have mentioned this, either operating money or a bond issue for new buildings, homeowners of tax abatements would not be required to pay any of those taxes. The educational burden is going to fall on the rest of the current taxpayers if any additional levies need to be put on the ballot. It's always difficult, we had some people ask how much it costs to education a child, I think it was Mr. Kay, it was \$9,300, those dollars are

accurate but it's hard to project what that's going to look like with kids. But here is what I can tell you tonight, here's a fact, a \$300,000 owner of a single home in Canfield pays \$3,135.00 a year in taxes to the school district; whether you have 1 kid, 20 kids or no kids. That's just what you pay. In a 200-unit development; which could be a Red Gate, we would lose \$627,000 a year. Just on those taxes. In a 10-year abatement at 100%, that's 6.3 million dollars. In closing, the Housing Council Minutes reference Columbiana Schools, (inaudible) and their community. I also spoke with Dr. Mook today. He has lost approximately \$400,000 in property taxes over the past two years, since 2018 when that CRA hit them. So, I'm going to quote from Dr. Mook's statement from the February 26, 2021 WKBN report. His comments in regards to that CRA. "It's killing us. They keep telling me it's only 15 years, I might be dead in 15 years" said Dr. Mook. I hope that's not my predicament. Thank you. (Applause).

MR. MORVAY: I don't have anybody else on the list but if you do want to speak, please name and address.

ASHLEY KANOTZ: My name is Ashley Kanotz, 41 Woodland Run, Canfield. I also came out here to oppose the tax abatement proposal that's up, asking City Council to vote because of all the reasons everybody here has laid out. Since you have a pretty big audience, I think it would be helpful if you gave us an idea as to either when you are planning on voting for it, since it's not going to happen today. Also, maybe some context around it. It sounds like it's been in discussions since February.

MR. MORVAY: We may not ever bring it up. We voted awhile back to allow commercial and remodel but the fact is, the CRA, it may never even come up for a vote. It's an open topic, if you will, if we decided to do it, then it would be on the agenda. Right now, there is nothing on the agenda or planned to be on the agenda.

ASHLEY KANOTZ: The report that just came out.....

MR. MORVAY: What report?

ASHLEY KANOTZ: The CRA.....

MR. MORVAY: Yes, CRA.

ASHLEY KANOTZ: It's that admission?

MR. MORVAY: That report was giving us direction. That's all it is. They do the heavy lifting. The Committee brings the report to us, and then these guys right here make that decision. If I tell Mr. Calhoun that it's not to be on the agenda and these guys agree with me, it will never be there.

ASHLEY KANOTZ: So, then, I guess 2 things might be helpful. One would be to make the report public so that everyone can have a copy.

MR. MORVAY: It is.

ASHLEY KANOTZ: Is it online?

MR. MORVAY: It's a public report, right?

ATTY. FORTUNATO: It's public record.

MR. STANKO: You have to ask for it.

ASHLEY KANOTZ: Okay. Then two you're saying the only way to find out about when you will maybe bring this up in the future is by looking at future agendas?

MR. MORVAY: Yes. That would it. Yes.

ASHLEY KANOTZ: And there isn't any intention on doing that anytime soon?

MR. MORVAY: I don't have any intention, myself.

ASHLEY KANOTZ: Okay.

MR. TIECHE: Mr. President.

MR. MORVAY: Yes, sir.

MR. TIECHE: I might ask the question; how does Council feel about it right now? We got people here and they cared enough to come to the meeting. Granted we may not have all read the report but is there an inclination to put it on the agenda at some point or are we at the point where we don't want to put it on the agenda?

MR. MORVAY: Well. Julio did you want to speak?

JULIO WILLIAMS: Good evening everyone. My name is Julio Williams, I live at 470 Chatsworth Lane. I am one of the members of the CRA Council. I just have to say, one thing I sense here is a love for the community and a love for the schools. We may disagree on where we are with the CRA and we may disagree on many things, but one thing for sure, we want the best for Canfield. I appreciate that we have that in common. I just want to say a couple of statements about the CRA. How did we get here? What our mindset was. What drove us? I just wanted to kind of say some things. To start, what do you all think of when you think of Detroit?

UNIDENTIFIED PERSON: Cars.

JULIO WILLIAMS: It's rhetorical. I'll answer that question for you. Let me ask you, do you think of Paris of the Midwest?

COLLECTIVELY: No.

JULIO WILLIAMS: Do you think of Motown? Do you think of the Motor City, Automobile Production? Auto Maker of the World. Is that what you think of? Do you think of the richest city in the U.S. per capita? No, right. A population of 1.8 million That was Detroit in 1960. Let me tell you some facts about Detroit today.

UNIDENTIFIED MAN: We're not Detroit.

MR. JULIO WILLIAMS: The population declined 63% since 1950 and 26% since 2000, 78,000 structures and 66,000 lots were abandoned. The moral of the story, we're not Detroit, moral of the story, once a great city does not necessarily mean always a great city. That's one thing we have to keep in mind. Two is that when we see population decline, that should catch our attention. I've been a resident of Canfield for 6 years, I appreciate the schools, I appreciate the police, I appreciate that you can drive on the morning after a snow storm on clean roads, I appreciate the leaf pick-up, there are many things that make Canfield a great city. Just like the hand can't say to the eye that I don't need you, or the hand can't say to the foot that I don't need you, one part of the city can't say to the other part that it's more important. The police can't say to the school that they're more important and vice-versa. The school would not be what they are if Canfield was a crime ridden city. What's my point in saying that, it's that, for us, we should consider Canfield as a whole. The school is a great thing. I'm grateful for that. But we have to really be cognizant of everything. A couple of facts, we can all acknowledge that in the past 4 years there has been an economic boom. You can measure that in many different ways. One way to do that locally is new construction homes. We all know about the CRA Abatement that Columbiana passed, a 15 year, 100%. Since 2017 they've built 137 new homes. In the Township, in the last few years, since 2017, they've built 112 new homes. The city in the last 4 years, they've built 8 homes. Homes are being built. What are people deciding? I'm going to go to Columbiana for the tax abatements. But some people may want the Canfield Schools. So, where are they building? They're building in the township. Its clear, people are either building in Columbiana or they're building in the township, but nobody is building in the city. That's something that should catch our eye. If the city is not growing, that should catch our eye. We know Detroit, we know Youngstown and there are many other examples of cities that were humming and experienced a sharp decline. We really have to consider the whole picture. One thing I'll mention is in the past 3 years Canfield Township has built 112 new homes. However, enrollment in the schools has been on the decline over the past 5 years. What does that mean? Just because you build a new home, that doesn't necessarily mean that, that's going to equal an increase in enrollment. Another thing for you to consider, there are 65 students that are homeschooled currently. From my understanding, correct me if I'm wrong, that's money that the school is receiving from those schools that are not in the school, they're just residents of the city. So, they're currently receiving money for 65 students that are homeschooled. If that's off, I stand corrected. But that's just something to keep in mind. A couple other quick things. Thank you all for your patience. I know we don't agree but thank you for your patience. There is such a thing as human capital but that's intangible. It's not something that you can measure. When you get new homes, you get experience that comes into Canfield. You get resources, you get influence, you get network, you get consumers, business owners, there are many things that the city gets when people come into the city. We see that they're not coming here. They're building but they're not coming to the city. That is something that should concern us. The City Manager in Columbiana, he reported to Council that since they implemented that program they secured \$35,000,000 of investment into the industrial and commercial zones. Thirty-five million since 2018. One thing that's clear that we've seen from the data is that it does promote economic growth, it does promote increased property values, it does encourage people to rehab their homes, and what does that do for everybody, it increases everyone's property values. That in-turn benefits the school district. Higher property values benefit the school district. The last thing I'll say is that we recognize that it could be really challenging to match everything. In the recommendation; which I encourage everyone to read and really dissect it, so you can see where we came from. We included a provision in that, that we believe it protect the city and the schools. We believe that implementing that abatement you give Council the authority every two years to revisit that program. Then you have the option to stop it or adjust it. What does that do? It protects, it helps us to keep an eye on things to make sure the system is not being overrun or overwhelmed. It protects investors that have projects in the works. Say to we revisit the program and we decide to stop it. Okay, the program will end next

year. We revisit it every two years, allowing 1-year time to expire, if and when you do that. We feel that's a happy medium. We can encourage growth, keep an eye on the numbers, and we can stop the program, if we see that's it's overwhelming. Thank you all.

MR. MORVAY: Thanks Julio.

CHAD CROMER: My name is Chad Cromer, 4625 Bunny Trail. Class of '97, Canfield. I have 3 children in the Canfield School District and I own a real estate company. I'm here to tell you that the CRA, based off of what you brought to the table, \$35,000,000 in Columbiana sounds great but that probably generated zero tax dollars. So, everything is going to be run off of tax money. So, this growth that Columbiana has experienced probably brought zero money to their town. It did absolutely nothing for them. Canfield has always been strong in real estate; their school systems and everything. If you want to take a close look at not really abatements but what can happen when schools go bad, we can look at Poland closely, a lot of their generation is elderly. Now they're not passing school levies. I can tell you that their school system and buildings are a disaster. That is directly affecting their real estate there. I've been doing real estate since 2003, I've lived and grew in their area my whole entire life, so I know it and I know it well, I don't know that you need any type of tax abatement to bring anyone to Canfield. The new construction that Canfield is seeing now is due to a demand of people coming to the area and there just isn't enough homes for them, so they're going to build new homes for those people. This isn't an area that isn't seeing people coming here, so we're trying to incentivize them to come here with free taxes. Such as like, a larger community and county like Columbiana does. At this point, I just wanted to voice my quick opinion as there is absolutely no need in the real estate world to incentivize anybody coming to Canfield. I can probably sell all your homes tonight without even going (inaudible). People are waiting in line. Mr. Morvay, in reference to your comment to the nice lady that was up here, I'd like to direct you personally, I would say that there is probably something cooking on the back burner somewhere or else all these fine people from the school, the superintendent, the man from the Board that's been developed strictly for this, other representatives board members, all these people, we all can't be wrong.

MR. MORVAY: What are you saying I'm doing?

CHAD CROMER: Listen, I'm not saying you're doing anything. I'm just saying, like directing towards her like nothing is happening, is not 100% accurate.

MR. MORVAY: We had.....

CHAD CROMER: I know you shut her down pretty quick.

MR. MORVAY: I did not.

CHAD CROMER: I'm sure I'm not the only one that felt like that.

MR. MORVAY: I don't believe so.

CHAD CROMER: I guess what we're looking for is transparency. If that's the case, we have people that are interested in Frank's land, where's Frank, hi Frank, somebody is interested but we can't tell him. Smoke & Mirrors. As a person of this area, the first I've ever been here, I would look to be a little bit more open and a lot more transparent. Thank you. (applause).

JUDE DOHRA: My name is Jude Dohra, my address is 5556 Bay Hill Drive. I'm currently a resident of the Township, not the city. I was a resident of the City for 10 years, I lived on Hickory Hollow. I can attest that demand in Canfield, I don't think, has ever been an issue. I sold my house fsbo in 2 days of putting it on the market and got asking price. That was not an issue in the Hickory Hollow neighborhood. I'm pretty impressed with what I've heard today by the number of school board members; which has studied and evaluated the issue. I don't know where the city stands on it. It sounds to me from a parliamentary standpoint it remains an open item for your council to consider. I think the question that should be asked is well, if you're not currently considering it, then you can always reopen the matter. Why not close it? With that said, I will say that I've spent 17 years as an executive officer overseeing a Community Reinvestment Act at Home Savings Bank. We worked directly with communities all over the state of Ohio. Our footprint dealing with community reinvestment in particular. Many of you may know the great work that YNDC does in and around downtown and Glenwood Avenue revitalizing impoverished neighborhoods. Let's remember that the Community Reinvestment Act is intended to help low to moderate income individuals and businesses revitalize their neighborhoods. I personally don't see anywhere in the City of Canfield, except maybe where those Motels used to be, that need revitalizing. I'm not sure why were really need that. Secondly, if you are eligible under the community reinvestment act for support and stimulus, you can get that through a home loan and you can get that through a business loan. There are plenty of incentives out there and I can you that Premier Bank would be more than willing to help somebody that is eligible for a CRA Loan. That being said, I don't think we need to turn our community and say that they are ready to be revitalized from that standpoint. I simply don't see it. Thank you. (Applause).

SHER WENOWITZ: Sher Wenowitz, 460 Chatsworth. I came here in 1997 from out of state, we used to receive a lot of corporate transfers, we chose Canfield and the schools because we love them. I want to say that we've been here since 1997 and we moved into the City in 2000 into 2001. I really still enjoy that neighborhood, it's well kept up, a wonderful neighborhood. The majority of the homes that I've sold, I was a realtor for 18 years, I retired about a year ago. I'm enjoying my retirement. The thing that has concerned me is that the school, the population has decreased, correct me if I'm wrong, it's gone down about 98 students in about 3 to 4 years. That is kind of concerning. When I was selling real estate and I worked about 80 hours a week, so I was doing a lot of sales in Canfield and surrounding areas. If we're going to go new construction then I would of course be showing them sample homes in Stonebridge and then they also want to see Westbury; which is township. Because a lot of them didn't have to pay that 1% income tax, that was incentivizing them just because they didn't have to pay the 1%. To go to Westbury to build a new construction. So, there is quite a bit of that, that I did end up, I had to support them as my client. I would try to give them all the benefits of the City and then the benefits of the township. And they would say, I don't want to pay that 1%. So, I'm just trying to think about both sides of the coin and give you some ideas that I think are a little bit concerning. That 1% tax has been hurting them. Another thing I'm understanding is the existing home sale taxes that we have right now, continues to go to the schools, thank God. I'm in total support of the schools. They're wonderful. I've had my grandkids there and my son was there a long time ago, he graduated in 2000. Thanks to the school, in part, and the physics department, he is now a doctor. I just wanted to give you a couple of examples, we do have neighborhoods where the homes are falling into pretty severe disrepair. They could be in really good neighborhoods, too. They're pulling down the value of those homes and there are a lot of streets that have that. They got the bad basement, somebody wasn't able to maintain it, or it ended up going foreclosure in the past, so they're still fighting some of the issues. My understanding is, if you have a tear down of a house, then you wouldn't have to pay the taxes for new construction. Is that correct? They would fall under that. Then if you have that new home in that

neighborhood, then that should help your property values increase. That is something else I just wanted to point out. Yeah, it seems like a lot of money upfront that we would not be collecting from these people. However, they'll be bringing in their families and some of them would have children, an awful lot of them don't that I've sold to. I just wanted to let you know that I was concerned about the struggle to get people to purchase in the city. I think that some tax abatement would be beneficial for those people who want to buy new construction. It's a wonderful city. I don't want it to become stagnant. If you become stagnant, you could start going downhill. We don't want this wonderful city to go downhill. I love this city. Thank you very much.

MR. BOB SMALLWOOD: Bob Smallwood, 9504 Calla Woods Drive. Just a quick question. You said about this agenda, so it would have to be on the agenda and we can get on. You would put that one. If it's not on, I shouldn't expect to see it? I shouldn't expect to hear, hey, by the way, we had a vote.

MR. MORVAY: Correct.

MR. BOB SMALLWOOD: Thank you.

FRANK MICCHIA: Frank Micchia, 220 Glenview. Just a few numbers to toss out. Typically, we graduate some, 230, 240 or 250 student every year. First grade enrollment in 2000, was 200. That's about a 20-25% decrease. That's a sizeable number. The fact of the matter is Canfield has a rather elderly population, excluding me of course. (laughter). That's the demographics of our area. It is a problem. I'd like to close with a "Thought for the day" At the end of the game, the King and the pawn go in the same box.

KIM HOOVER: Kim Hoover, 95 Russo Drive. I'm going to turn the gears, really quick. I just wanted to know and touch base on the 1.4 million dollars that we got from COVID Relief money, have we got any directive towards that? What we're able to spend it on? Any information?

MR. CALHOUN: We have not received any of the American Rescue Plan Funds. From my understanding and Christine Clayton our Finance Director is participating in all of the State Auditor Office Budget Work Sessions. We don't have clear designation on exactly what those funds could be used for. From what we know, I believe they're going to allocate half this year and then half in 2022.

KIM HOOVER: Okay. I spoke to our House Representative and he was more than willing to help guide us in what we are allowed to spend the money on. He basically said that we were allowed to give grants to small businesses with the money that was from that. He said if we need clarification on other things we can do with it we can contact him at any time. Are we able to get a board put together to oversee what the spending will be and put our input into what that would go towards?

ATTY. FORTUNATO: I think your board is Council. Council can make those decisions.

KIM HOOVER: Can we have a separate group of our people to give input towards that?

ATTY. FORTUNATO: That could be up to Council.

MR. MORVAY: We're all available. If you'd want to give us your input, certainly. We're the board of directors that guides Mr. Calhoun in administration. So, if there is any input we'd love to hear it.

KIM HOOVER: Okay. I guess I'll just meet with you individually and go from there.

MR. MORVAY: That's fine.

KIM HOOVER: Thank you.

MR. NEFF: President Morvay, I'd like to follow-up on Councilman Tieche's mention about where do we stand. I was probably one of the early committers, even though I see benefits to the CRA, I early committed that I didn't think it would be a good idea for Canfield, not only for what it would do to the schools but also what it seemed to do for the rest of the taxpaying citizens. My position is not to see it go forward. I know as a politician, you're not supposed to make up your mind until you see everything and all the facts, but that's where I stand right now. If some point in time, in the future, it would be a very long future, we don't even have any new housing that I know of that's ready to be sold yet. But there is some coming onboard. Right now, I'd vote no. (applause).

MR. TIECHE: I would agree with Mr. Neff's comments. I appreciate the information that Mr. Wilkenson brought forth. I think that he presented that at our previous meeting. I expressed what my concerns were, I guess I'm a finance guy too. My thought that meeting was very informative and I haven't heard enough to allow me to think that it would be in the city's best interest to establish the CRA at this point' at least the residential. (applause).

MR. DUFFETT: Mr. President, I am also against Residential CRA's. I can remember a time when the schools needed a levy and there was no campaign. They put it on and it was approved. The schools have always been a gem to the City of Canfield. I don't think we need residential CRA abatements. I don't think we need them now. I don't think we'll need them in the future. I would vote not to proceed with residential. But I do think it's very good to have them for businesses and the school in the discussion we had also agreed with that. We're trying to do some things to attract the right kind of businesses for the charm of Canfield. I think it's going to help. But as far as residential, we have great schools, they keep getting better, so I would not like to see it proceed forward. (applause).

MR. NACARATO: Doing research and looking at all the evaluations of everything going on, I have to admit, I agree with my constituents. I don't find a value in a tax abatement at this point and time. I think it will devalue where we stand in our school system and hurt them in the long run. (applause).

MR. MORVAY: We live in a very exclusive city. We're in a unique situation. We're penalized because our per capita income is high, so we get very, very little dollars back from the state, to build new buildings, and to educate our children. If we want to live here, in this city, we pay for it. And we have paid for it. I commend everybody. I've always supported the schools. I choose to live here. I'm not the richest person in town. But I support the schools 100%. Mrs. Kanotz, I'm sorry if I shut you down. But one of my jobs is to know, kind of the temperature of what's going on and I knew this CRA had not a chance. I told you that it would have to go onto the agenda. Unless I told Mr. Calhoun to put it on the agenda, it wouldn't go on the agenda. Me knowing the flavor or the temperature of the other councilmen, it was not going on the agenda. I'm sorry. I'll apologize to you if I shut you down. I shouldn't have maybe done that but I apologize if I offended you. As it stands right now, we're not voting on the CRA. It's not going to be on the agenda. We want great schools, let's pay for them. When Mr. Knoll comes to us with a bond issue here for new schools, go look at the middle school and look at the buckets and let's support that bond issue. It's going to be expensive, right Mr. Knoll? It's going to be very expensive. But if we want an exclusive city, like what we have and we enjoy the city and the

protection of our police, our fire, we pay for it. So, we forego things to be able to afford that. I commend you for doing that because I love this city and that's why I'm up here. I'm glad to serve. (applause).

MR. WILKENSON: I just want to say thank you on the record and for putting this drama to bed.

MR. MORVAY: We're going to take a 5-minute break. We are back.

Under **OLD BUSINESS:**

ITEM A: An Ordinance Amending Water Department Standard Specifications.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Ordinance and Authorize reading by title only.

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. TIECHE: Mr. President, I have an Ordinance Amending Water Department Standard Specifications. I move for passage.

MR. NEFF: Second.

MR. MORVAY: We had a public hearing but Wade can you just briefly let us know what this does.

MR. CALHOUN: As you mentioned this was the public hearing that was earlier this evening at 5:20. An Ordinance Amending Specifically Chapter 11, Section 1, Appendix F of the Codified Ordinances which deal with water department specifications, adding a number 24. In summary it deals with the installation of water lines on the location of where the curb stop should be located on the property. Curb stop is a common term used for the shut off valve to the property. Planning & Zoning discussed this item at their April 8th meeting. The commission voted unanimously to recommend approval in amending this one section, Appendix F. So essentially, that's what this Ordinance does, it amends appendix F of the reference chapter to add this number 24. All other sections of the water department specifications remain unchanged.

MR. MORVAY: Thank you Wade. Council any questions?

MR. TIECHE: Just for clarification, currently water lines when they're installed in a subdivision, the water main runs up one side of the street and usually they make taps to the houses that are on that side of the street. This regulation will require the developer to make the tap and run the curb stop to the other side as well.

MR. MORVAY: Thank you. I'll entertain anybody that has a question about this Ordinance. Hearing none, Patty.

ROLL CALL ON ORDINANCE:

5 Votes-Yes
0 Votes-No
Ordinance passes.
Ordinance 2021-21.

Under **NEW BUSINESS:**

ITEM A: An Ordinance Adopting an Internet Auction Policy for 2021 for the disposal of unneeded, obsolete or unfit personal property.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of two reading of the proposed Ordinance and Authorize adoption of the same upon its first reading.

MR. TIECHE: Second.

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Ordinance and Authorize reading by title only.

MR. NACARATO: Second

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.

MR. NEFF: Mr. President, I have an Ordinance Adopting an Internet Auction Policy for 2021 for the disposal of unneeded, obsolete or unfit personal property. I move for passage.

MR. TIECHE: Second.

MR. MORVAY: Wade can you tell us what's going on with this Ordinance please?

MR. CALHOUN: From time to time the city has to dispose of unneeded, obsolete, or unfit equipment, vehicles, that sort of thing. We do so in a manner, trade-in, we can have an internet auction, we can take it to an auctioneer, we employ their services to dispose of it. In the online auction piece, Ohio Revised Code authorizes municipalities to do that through internet auction. If we choose to do that; which I believe we instituted our internet auction policy originally in 2019, every year we have to adopt that online auction policy. That's all this does. It adopts officially the establishment of our policy for the administration of internet auctions. This Ordinance would just update; which there is no updates but just annually as part of the requirements. Our 2020 internet auction policy for disposal of unneeded, obsolete or unfit personal equipment. As Council remembers when we originally did this and typically

when we do legislation disposing of items we specify how we're going to dispose of that item. If it's a police department vehicle replacement, in the legislation disposing that vehicle it authorizes through trade-in or would authorize, auction through a service or authorized through internet auction. When that legislation comes into play, and it's through internet auction, this allows us to do that. This is the policy that allow us to dispose of it through internet auction.

MR. MORVAY: Thank you. Council, questions?

MR. NEFF: Is this, do we publish or do we put on our website when the auction is going to take place or a list of what's on it?

MR. CALHOUN: So far, we have not conducted an internet auction as the City of Canfield. If we did, that would go through a period of time, there would be items that would be available on the internet or on our website. If we utilize services of an auctioneer other than internally as the city, we would just provide information of the equipment for sale and take it to the auctioneer.

ATTY. FORTUNATO: Item 3 of the policy states. All items for sale will be posted on the city's website, www.canfield.gov. The City website will also contain a direct link to the auction site.

MR. MORVAY: So, if we use an auctioneer....

ATTY. FORTUNATO: This is not an auctioneer. This is internet auction.

MR. MORVAY: I know but it says we can use an outside auctioneer source. Is there a bidding process or something of who we determine who is going to get that for auction?

ATTY. FORTUNATO: Bids will be accepted through EBay.com, or other entity as provided in the applicable legislation to dispose. Successful bidders will be notified by the City.

MR. MORVAY: The auctioneer service, is there a way that we choose, which auctioneer service that we're going to use.

MR. CALHOUN: I don't think that's a bidding requirement. This policy as we stated specifically relates to the internet auction that the city conducts. That's through EBay.com. Typically, if we do use an internet auction service, it's deciding who would be best to conduct that auction. If it's public works equipment, obviously there is firms that do that. If it's unneeded furniture in the city, there are specialty firms that do that. Any auctioneer can probably do any equipment that we want. We typically, internally, assess where we can get the most value out of that and the most visibility to that piece of equipment or furniture or whatever the case may be, to get obviously the highest value for that equipment.

MR. MORVAY: The only reason I bring that up is because the last time we had an auction, we used an auctioneer from Columbiana and we do have, in town, an auction service. The Roman Auctioneers that live here. Trying to decide who do we have to do that, if we can we can funnel it to obviously our residents first. That's my only concern.

MR. DUFFETT: Is this a backup to using a local auctioneer?

MR. CALHOUN: This is a policy for the city to conduct the auction ourselves, through our (inaudible). Typically, an auctioneer will take a percentage of whatever that sale is. When we instituted the policy, we were going to potentially auction off a lot of unused desks, file cabinets, just excess furniture that we had. This gives us the ability to do that through the City of Canfield. If we employ an auctioneer services, we go through that route.

ATTY. FORTUNATO: Council determines the method of disposal. When we're going to dispose of something you choose to dispose of it by internet auction or by regular auction, that's your call. If you choose internet auction, this is the process.

MR. CALHOUN: We haven't had an internet auction to auction off a lot of equipment. A lot of times it's through trade-in. Most recently, as Council President Morvay pointed out we had a rather specific piece of public works equipment that was auctioned off. We chose a firm that we felt would get the best value, get the most visibility for that piece of equipment. Unaware that Roman Auctioneer Services does those sorts of auctions. From our understanding they were more of estate sale type. I think everybody is aware of that now. It's not a horse we need to keep beating. Again, there is an internal process of what is going to get us the best value. We try to support local business whenever we can.

MR. DUFFETT: Do we know what percentage the internet is charging us; whatever entity that is doing that?

MR. CALHOUN: It would be us. Again, I don't know the specifics EBay percentage to have it through there. But every auctioneer firm comes up with different prices or percentages.

MR. DUFFETT: So, there would be a charge on the internet, we just don't know what it is?

MR. CALHOUN: Correct. I think the way the EBay structure works it depends on what that final sale price ends up being; much like any auction. But again, I don't know if that's a flat fee from EBay or if that depends on the value of what you're selling.

MR. MORVAY: Thank you, Wade. At this time, I'll open it up to residents.

FRANK MICCHIA: Frank Micchia, 220 Glenview. When this was read, it said it was meant to be the disposal of personal equipment. Do we mean personal?

ATTY. FORTUNATO: Personal property. Not real property. You have personal property and real property. This is not real estate, so personal property. Personal property is everything else, it's not real estate.

MR. MICCHIA: Personal property could be a truck?

ATTY. FORTUNATO: Yes.

MR. CALHOUN: Chairs, desks.....

ATTY. FORTUNATO: Podium.

MR. MICCHIA: I look at it as city property.

MR. CALHOUN: Lawn mowers. City personal property. City owned property.

MR. MICCHIA: It was a little misleading in the context. Thank you.

MR. MORVAY: Thank you, Frank. Anybody else? Hearing none, Patty.

ROLL CALL ON ORDINANCE:	4 Votes-Yes
	1 Vote-No (Mr. Duffett)
	Ordinance passes.
	Ordinance 2021-22.

ITEM B: An Ordinance Approving the Replat of Canfield City Lot 2645 by Thomas Porter.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of two reading of the proposed Ordinance and Authorize adoption of the same upon its first reading.

MR. TIECHE: Second.

ROLL CALL ON MOTION:	5 Votes-Yes
	0 Votes-No
	Motion passes.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Ordinance and Authorize reading by title only.

MR. NACARATO: Second.

ROLL CALL ON MOTION:	5 Votes-Yes
	0 Votes-No
	Motion passes.

MR. DUFFETT: Mr. Chairman, I have an Ordinance Approving the Replat of Canfield City Lot 2465 by Thomas Porter. I move for passage.

MR. TIECHE: Excuse me. I think it's 2645.

ATTY. FORTUNATO: Point of clarification. Yes, 2645.

MR. DUFFETT: Excuse me.

MR. NEFF: Second.

MR. MORVAY: Wade what is Mr. Porter trying to do?

MR. CALHOUN: Mr. Thomas Porter is currently in the process of developing the property on Manor Hill Drive, immediately adjacent to what used to be Advanced Auto Parts. In doing so, I believe there are 2 plats, 2 plots currently there. In order to build what he wants he needs to combine those plats into one to build the building.....

ZONING INSPECTOR: He has 1 lot, he wants to divide it, so he can build on the one lot.

MR. CALHOUN: Okay. Sorry, I misspoke. He has lot that he is splitting it into two lots, so he can build the appropriate building; allow spacing for the utilities that are currently underground there and get his appropriate parking for the proposed use. The Planning & Zoning Commission at their April 8th meeting considered this item, voting unanimously to recommend the approval of the replat of lot 2645.

MR. MORVAY: Thank you, Wade. Council questions?

MR. TIECHE: Wait a minute. In the description it says Porters requesting a replat of the two lots currently known as 1485 and 1486 into a new lot 2645. Is he taking two lots into 1 or is he taking 1 lot.....

ZONING INSPECTOR: One lot into 2.

MR. TIECHE: Well, then this isn't correct as far as the description is concerned.

MR. CALHOUN: That's my error in the description.

MR. MORVAY: We need to correct that then.

MR. CALHOUN: The Ordinance is correct. My description on the agenda is incorrect. He's taking one lot into 2.

ATTY. FORTUNATO: The Ordinance is fine.

MR. NEFF: I thought this was off of Talsman. Is Manor Hill off of Talsman?

COLLECTIVELY: No.

ZONING INSPECTOR: Behind Advanced Auto.

MR. NEFF: Okay, thank you.

MR. MORVAY: Questions from residents? Hearing none, Patty.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes.

Ordinance 2021-23.

ITEM C: An Ordinance Amending Canfield Codified Ordinance Section 1123.01 (31), (32), (34) and (35).

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Ordinance and Authorize reading by title only.

MR. NEFF: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. NACARATO: Mr. President, I have an Ordinance Amending Canfield Codified Ordinance Section 1123.01 (31), (32), (34) and (35). This constitutes first reading.

MR. MORVAY: There will be a public hearing on this Patty?

CLERK: Yes, June 2, 2021 at 5:10 P.M.

MR. TIECHE: As this amendment is written you inserted the word used exclusively in each of those sections. Does this Ordinance preclude a conditional use permit in any of those districts for home occupation?

ATTY. FORTUNATO: No, it does not.

MR. TIECHE: So, they go through the same appeal process. Okay, very good, thank you.

MR. MORVAY: Okay, that will be set for public hearing on June 2, 2021 at 5:10 P.M.

ITEM D: An Ordinance Amending Section 1141.14 General Commercial District B-2 Adding Retail Sales as a Permitted Use.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Ordinance and Authorize reading by title only.

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. TIECHE: Mr. President, I have an Ordinance Amending Section 1141.14 General Commercial District B-2 Adding Retail Sales as a Permitted Use. This constitutes first reading.

MR. MORVAY: Patty, that's June 2nd at 5:20 P.M.?

CLERK: That's correct.

ITEM E: A Motion to reject the Fact Finder's Decision in S.E.R.B. Case No. 2020-MED-09-1062.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Motion and Authorize reading by title only.

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. MORVAY: Wade can you brief us on this please? I'm sorry we didn't read it.

MR. NEFF: Mr. President, I have a Motion to reject the Fact Finder's Decision in S.E.R.B. Case No. 2020-MED-09-1062. I move for passage.

MR. NACARATO: Second.

MR. TIECHE: A question. I guess the question is, since we have 2 of these motions and one of them is to reject and one of them is to approve, can you explain both of them and maybe your recommendation as to which we ought to take.

MR. CALHOUN: Brief history on this and this will apply to both motions. In December of 2018, City of Canfield, Public Works Laborer Operators filed a petition for collective bargaining representation to include all full and part-time employees, in the position of Public Works Laborer Operator as well as the Public Works Foreman position. The City of Canfield contested the bargaining unit mainly for the position of Public Works Foreman as a supervisory position. We felt that it did not constitute to be included in the collective bargaining agreement. Through 2019, in particular May 2019, the State Employee Relations Board or S.E.R.B. hearing was held to determine the inclusion or exclusion of that Public Works Foreman position in the proposed bargaining unit. The administrative law judge filed his opinion of June of 2019, S.E.R.B. then certified the proposed collective bargaining unit but then excluded the Public Works Foreman. The next process that takes place is the proposed collective bargaining unit takes a vote to ratify the selection of their specified collective bargaining unit representative; which in this case is the Utility Workers Union of America, AFL-CIO. That vote among the bargaining unit members took place in September of 2019. We began negotiations between the City of Canfield and the Utility Workers of America as well as representatives from the City of Canfield executive team and members of the collective bargaining unit in February of 2020. Throughout the next six months worked through the collective bargaining agreement. This is an initial contract so it's not similar to a police department collective bargaining agreement where we are just renewing something. We literally had to make the agreement from scratch. Successfully and tentatively agreed to a number of articles, both substantial, both administrative, the context structure as well as leave time, vacation, that sort of thing. However, there is still left a few outstanding issues that we did not come to an agreement on. Therefore, the next step in the process was to go to mediation, that took place in November of 2020 and early December of 2020. Through the mediation process, there was six remaining outstanding articles. Three of the six articles were successfully mediated. However, January of 2021, the collective bargaining unit filed for a fact-finding hearing to take place; where a fact finder independent review of both parties' positions on the outstanding issues and provide a recommendation to both parties. The UWUA Representatives as well as the City of Canfield. The hearing on that took place on March 16th of 2021.

Both parties shared their positions to the fact finder. I shared that with Council as we proceeded through that fact finding, the most recently in the most recent agenda packet as part of the consideration of these items. On the fact-finding report that was issued on April 15th, the recommendations on the outstanding issues, both parties are required by state law to take action on the fact finders recommendation report. Whether to accept or reject what the fact finder is recommending, go into the total collective bargaining agreement for the outstanding issues. In this case with the unresolved issues set around working hours, compensation and working conditions. You can see from what I sent to council the fact finder recommended the City of Canfield proposal on working hours, then recommended the UWUA proposal for compensation on working conditions. Staff is recommending rejection of the fact finders report. For two main reasons, working hours, were irrelevant, it's a management right issue. We clarified enough, per the Ohio Revised Code what those should be. The working conditions proposal that we put forth, I'll read it because there are probably points in here that need to be brought up and the impact it would have on city operations. During the course of negotiations this was a constant topic that was brought up. It falls back to a management rights issue for the city. At no point did we entertain this type of language to get inserted into the contract. We clarified some other items as far as working conditions for bulletin boards, what's made available, providing PPE, that sort of thing. This particular request is what the union has requested

The primary function of a supervisor or foreman is supervision and no supervisor or foreman shall act in other than a supervisory capacity except in emergencies. A supervisor or foreman is not to divert from his supervisory function to perform work which will eliminate a man or interfere with supervision. The only bargaining unit functions that such supervisor or foreman may engage in are (1) operating or driving motor vehicular equipment for the purpose of transporting men to and from work locations, and (2) utilizing the backhoe to perform work.

What this would effectively do for the organization of our public works department is take our two foreman positions and make them purely supervisory. They can only watch the guys perform the work. Right now, all hands-on -deck approach, for certain functions of our public works department, our job descriptions reflect that John Rapp as Public Works Superintendent must be available and able to perform all the job functions of a public works foreman or a public works labor operator. What their proposed language does is it eliminates the effective and efficient operations of our public works department. We're a department of 11 people, six of which are the public works labor operators. In performing those functions, we foreman to work alongside, so work in foreman supervisor positions. So, it would essentially take those two people in purely supervisory capacity. For example, we had the driveway that was being repaired on South Briarcliff about a week and a half ago, as a result of a water main break that we repaired this winter. There was a foreman and one of our public works laborers there both performing the work to do the driveway for the resident. This language would take that foreman, take him to purely supervise one guy, or in this case it's a two-man job. We would then have to bring in another resource, they we'll have 3 people performing a job function that we can currently perform with 2, with one of those people just purely supervising and watching the work. Again, it's not the most effective and efficient way to conduct operations of the city, knowing that we have taxpayer dollars and the last thing we want is somebody just standing and watching people work. This language would have a detrimental effect to the operations, as well as it would most likely require the hiring of additional personnel in order to effectively perform the job functions. Again, it's a management rights issue for us. We have the right to manage and direct employees including the right to hire, select, promote, transfer, supervise, evaluate (inaudible) determine the number of employees required for positions. We have the right to maintain and improve the efficiency and effectiveness of government operations. This is all guaranteed through Ohio Revised Code of items that are not subject to collective

bargaining, unless the management decides to collectively bargain that into an agreement. Determine the overall methods, process, means or personnel in which operations are to be conducted including the right to manage and determine the location, type and number of physical facilities, equipment programs or work to be performed, effectively manage the workforce, the right to determine employees' rights, goals, objectives, programs and services to utilize personnel in a manner designated to effectively meet these purposes. Our purpose is to serve the citizens of Canfield at any capacity. So, for those reasons and again, the financial burden of hiring additional personnel and restricting current personnel is why staff is recommending for the rejection of this report based on the language that's being proposed.

The Public Works Department is made up of eleven individuals, six of which compromise the laborer position. As an example, that was in our position statement proposed to the fact finder, snow and ice removal is a task that takes more personnel that is currently in the bargaining unit. If snow and ice control were to be classified as bargaining unit work, we do not currently have enough personnel to perform that snow and ice removal effectively. So, there are a number of functions in job description that would result in probably a multitude of grievance filings. Changing trash, picking up litter is another example of what our Public Works Department is tasked with doing. If this language was to be adopted our police officers picking up litter because they're driving around and they see litter, would be subject to a grievance filing by the public works laborers because they are performing the bargaining unit work of the public works department. So that's the main reason for the rejection of the fact finder's report for working conditions.

The second item being compensation. Obviously, this is always the most contentious issue in any collective bargaining unit agreement. What the unions proposal does and we match essentially on the progression steps. So, a new hire comes in they're a percentage of that total salary. As they progress through the years of service, they eventually get to 100% of whatever that salary is. Are proposal we've basically mirror to the performance management model, where currently labor operators are set at a certain salary, if they were to get a license, water or wastewater, they would have an elevated salary based on the fact that they are licensed. If they get 2 licenses, a water and a wastewater license, they have the ability to make more money, as opposed to the labor operator with no licenses. That was the model that we put forth, that was the model that we proposed during mediation and subsequently to the fact finder. The fact finder recommended the UWUA proposal which again, sets up percentages for the progression steps. However, the rates of pay would be position of public works laborer would be set at \$26.99, effective January 1st, 2020. So, if this language or this recommendation was approved and built into the total collective bargaining agreement it would require back paying the 7 individuals the difference of what they currently make verses the proposed starting rate back to January 1, 2020. That is approximately \$47,000, based on rough calculations, assuming there are two employees that are within the progression steps but just for rough numbers I looked at that. The rate of pay for the public works laborer on 2021, effective January 1st would be \$27.80 and then that rate of pay increase by 3% through the totality of the contract. A licensed Public Works Operator would be escalated to a higher rate of pay beginning at \$28.51, for January 1, 2020 and then \$29.37 as of January 1, 2021. So, based on the backpay being somewhere between \$50,000 to backpay the employees at current rates of pay verses what the UWUA language is proposing would cost the city additional money, the hiring of potentially 2 or 1 ½, two full time or one full time and one part time employees to essentially replace the two foreman that can only now supervise, it could cost the city upwards of \$160,000, salary plus benefits based on what the union is proposing. One other thing to note, I provided Council a copy of the payroll that shows the Public Works Laborer position, updated as of March 2021. In comparison to like cities in the region or cities, township, other public entities that have collective bargaining agreements. Currently the City of Canfield under their current rates of pay, so if you're looking at the table, the

highlighted section under the table that shows Canfield with a sub note (1) is the public works laborer position as it currently stands. Then you've got all the other entities. Currently we are just under Poland Township. All things considered, they have some longevity pay going to their base rates. Under the union's proposal, is what you see at the top, the orange color table that is a Canfield Public Works employee with a license. One thing to note is, without clearly defining license, like we have in the city's proposal of water and waste water, and then there is an incentive built in for backflow prevention license. What the union's proposal does is call out a licensed public works laborer. The only required license in the proposed collective bargaining agreement is a commercial driver's license or a CDL. That is a requirement for every employee of the public works department. So, interpreting a licensed public works laborer, means the required license that was proposed in the contract; which is a CDL. So, every public works employee would be a licensed public works labor operator because they have that CDL. With that, the salary proposed just in the first year would put them at, what I mentioned the \$29.37 hourly rate. Total salary that basically puts them \$6,000 above what is right now the market for a public works operator, laborer, truck driver, maintenance people. The City of Canfield is a little unique. We're not Austintown Township Road Department that only takes care of Austintown Township Roads. Our guys do everything from cemetery, mowing, water, sewer, storm water, maintenance of buildings, maintenance of facilities and equipment. So, it's hard to compare what our guys do to another specific other bargaining unit rate. As you can see, as we stated in our position statement, our proposal is inline with again, what our model is that we're moving towards in the city, incentivizing and rewarding and advancing employees that are vested not only in the City of Canfield but in themselves, so there is value in the city in the services we provide, as well as the employee. As well as setting up what we felt was fair and in-line with what was recently renewed negotiated with the police department collective bargaining agreement that they received over the next 3 years, 2021, 2022 and 2023, fiscal years was a 1 ½%, 2%, 2% increase. So, through the life of the 3-year contract it was a 5 ½% increase for the 20 year plus agreement for the police department collective bargaining unit employees. When we passed the most recent salary ordinance the non-bargaining unit employees receive a CPI increase of whatever that December to December CPI is, or Consumer Price Index. The price of things going up and what it costs to live. This year that was 1.1%. The salary ordinance then contemplates each employee receiving a 3% potential performance increase but not to max out at 4% over the previous salary. Depending on the math, if CPI was 1.1 and you have a perfect employee, then they can earn an additional 2.9% based on their performance. Those are funneled through employee evaluations and submitted for consideration to (inaudible). One other thing to note, that kind of gives you the structure of how things are done, the 3% each year over the next 3 years, plus the backpay, a 9% increase over the next 3 years is not completely inline with what we see happening in the city over the next 3 years, based on what we project salaries to be. The Collective Bargaining Unit work language that is proposed, would be similar to a police department sergeant, not being able to perform police officer work. So, taking a police department sergeant and not allowing him to go out on the road and do traffic enforcement is the equivalent of what the proposed language would do to the 2 foremen; which are supervisors, much like our sergeants are in our police department, they supervise patrol officers but they are also patrol officers themselves. In this case, it would effectively take those 2 foremen as purely supervisory. John Rapp is our Public Works Superintendent, I can attest is usually the first guy that jumps into a water hole, if there is a water main break, that needs troubleshooting. He can still do that but it would open up the city for a grievance filing by the public works laborer operator position because he's not allowed to perform the bargaining unit work. Further, it would require us to start defining what bargaining unit work is in the City of Canfield. If bargaining work is snowplow, mowing grass, etc. and it does not cover some of the other activities that we're currently covering, it sets us up for well, that's not in the job description, that's bargaining unit work, I'm a bargaining unit employee, I'm not going to perform that job function. I'm not saying that, that would ever happen, I'm just saying, theoretically the proposed

language could set up that scenario; which would then require further personnel to be hired by the City of Canfield to perform those job functions. So, if we were to specifically define bargaining unit work; which we don't currently, bargaining unit work right now is all the work performed by the public works department. Whether that's the public works laborer's mowing the cemeteries or a foreman weed-whacking the cemeteries with the public works laborers, or John Rapp jumping into a water break hole and manually fixing that water break. That's bargaining unit work in the City of Canfield as it's specific to the public works department. That's pretty much it. The recommendation from staff for obvious reasons and reasons we stated is the rejection of the fact finder report. So, depending on the action taken on this item, I will go through the same explanation again on the next item. Just kidding.
(Laughter)

MR. MORVAY: If we reject this.....

MR. CALHOUN: Depending on the action that is taken on this Motion we can either consider the next motion or remove the next motion, contingent upon the action taken with this one.

MR. MORVAY: Right.

MR. CALHOUN: The next steps, should Council reject the fact finders report would be sitting down at the bargaining table to try to come to some agreement. If no agreement can be reached the proposed bargaining unit employees have the right to strike. That means not coming to work, not getting paid by the City of Canfield. That's what they're able to do. What we're able to do from this point is proceed with either our last, best offer on the items that we agreed to, in terms of what the salary ordinance covers; salary, vacation time. They would fall under what our intent to implement what our intentions are surrounding some of the items that are in the bargaining unit contract but no necessarily the entire bargaining unit contract. Then if we send that notice and intent to proceed in whatever fashion then they could potentially file an unfair labor practice against the City of Canfield, for not negotiating or sitting down at the negotiation table. In that scenario, it would force us back to the negotiation table. At the end of the day, it forces us to either hammer out something or get noting and we proceed with what's written into our salary ordinance.

MR. MORVAY: Wade, thank you. Thank you for being very knowledgeable and diligent with the contract. I appreciate you protecting the city's interest and our dollars. Thank you.

MR. CALHOUN: Public Works Superintendent, John Rapp and Chief Colucci were valuable resources through this process. Mr. Rapp has gone through this from the other side, being a bargaining unit employee with the City of Columbiana. Then he probably spent the last half of his career on the management side, so he had both perspectives. Obviously, Chief Colucci with the collective bargaining unit we've had with the police department was able to provide insights. A lot of the proposals mirrored the collective bargaining agreement that we have with the police department. So, understanding the history and context as to why that's in the police department collective bargaining agreement helped in either agreeing to putting that in a public works initial agreement or saying that's not necessarily applicable. That was an item that took the collective bargaining unit employees in the police department 15 years to get into an agreement. So, again, it's an initial contract. There is something, obviously you're starting a contract, you're not going to get what a 20-year contract has because every term that you renegotiate asks for something more with the knowledge that you're willing to give up something already in the contract. That was a valuable resource. I couldn't have done it by myself. We had special legal counsel for this matter, Jonathan Downes with Zashin & Rich, based out of Columbus. He is

probably the subject matter expert on employment law in the State of Ohio, if not the region. He was an invaluable resource throughout the process. This is all he does, or his firm does. He most recently was the lead negotiator for the State of Ohio, in all their collective bargaining contracts. Without his knowledge and experience and our resources internally, we couldn't have really got to where we need to be; which we believe is a fair proposal that gets everything that they're currently getting, as well as some additional guarantees and codify certain requests that they had through the bargaining process. But unfortunately, where we stand now on two of the three outstanding items, it would be a detriment to the City of Canfield from an operational standpoint and a financial standpoint. So, staff is recommending a rejection of the fact finders report.

MR. DUFFETT: So, a "Yes" equals a rejection?

COLLECTIVELY: Correct.

FRANK MICCHIA: Frank Micchia, 220 Glenview. Wade can you repeat that? (Laughter). I worked with several operations where the word force was unionized. I saw where we had such tight definitions of work responsibilities and duties. It led to a lot of inefficiencies, and a lot of conflict. We don't want that here. Do all we can to not have that. Thank you.

MR. MORVAY: I think Wade has done a great job in the whole city reorganizing, giving incentives for performance, and that sort of thing. I agree with that because I'm on the private side and I understand incentivizing people and paying them what they're worth but getting a good value for your dollar. Thank you for watching our dollars. Anybody else have anything? Hearing none, Patty.

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.
Motion 2021-08.

ATTY. FORTUNATO: We'll need a Motion to remove the next item.

MR. DUFFETT: So, moved.

MR. NEFF: Second.

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.

MR. MORVAY: I'll conclude with Council Comments.

Under Council Comments:

MR. TIECHE: I would like to thank everybody that came, although it looks like the crowd has substantially diminished. Thank you to all my colleagues and your deliberations this evening.

MR. NEFF: Thank you for coming.

MR. DUFFETT: I'd like to salute John for the Mausoleum. I went there yesterday and it really looks nice. What a facelift. I'd like to salute you Patty for the work that you do. Nice job on the Proclamations.

CLERK: Thank you.

MR. DUFFETT: Mr. Micchia, thank you for volunteering, I've seen what you do for the American Legion-Parking Sign Program. I think that would be a good program to match-up with the PTA.

MR. MICCHIA: You mean the street signs?

MR. DUFFETT: The parking street signs for the American Legion. Veteran's Only, that program. You did a great job.

MR. MICCHIA: We all did.

MR. DUFFETT: That's all I got.

MR. NACARATO: I too just want to thank everyone that was here today in voicing their opinion. It was nice to see such a turnout even though it was instigated by social media that was untrue. I just hope that more people realize that getting involved in community is important and the only way that a city like Canfield will continue to run properly.

MR. MORVAY: Just to mirror Anthony's comments, sometime adversity brings good. So, by getting people here, even though it was adverse, I guess, it allows people to understand how government runs; our city government runs. So, the more knowledge that we get the better off we all are. With that this meeting is adjourned. Thank you.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL