

AGENDA

CANFIELD CITY COUNCIL

January 19, 2022-5:30 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.
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** Amending Ordinance 2021-58 Adopting Salary and Benefits for All Full and Part Time Non-Bargaining Unit Employees and Declaring an Emergency.

Description:

The City of Canfield has an employment agreement in place for the City Manager position for a term of 1/2/2018 – 12/31/2024. Per section 3 "Compensation" of that agreement, beginning in year 1/1/2020 the annual salary of the City Manager is approved by Council contingent upon annual evaluation.

This ordinance amends Salary Ordinance 2021-58 to designate the annual salary for the City Manager position for fiscal year 2022, as well as modifies Section 2 of the Salary Ordinance as to how overtime compensation is treated for employees identified as "Administrative Employees".

Action Needed:

Designate salary for City Manager position for 2022, and approval of Ordinance amending Ordinance 2021-58 adopting salary and benefits for all full and part time non-bargaining unit employees.

Attachment(s):

Ordinance amending Ordinance 2021-58 Adopting Salary and Benefits for All Full and Part Time Non-Bargaining Unit Employees and Declaring an Emergency.

City Manager 2021 Evaluation

Public Comments

- B. A **Resolution** Authorizing the City Manager to Apply for, Accept, and Enter into a Water Supply Revolving Loan Account (WSRLA) Agreement on Behalf of the City of Canfield for Construction of Drinking Water Facilities; and Designating a Dedicated Repayment Source for the Loan and Declaring an Emergency.

Description:

The City of Canfield retained the engineering firm of Howells & Baird to engineer the replacement of waterlines for Bradford Drive, Neff Drive, and for the replacement of a section of the back-up feed supply line at the intersection of Herbert Road and N. Broad Street.

The City of Canfield intends to apply for Ohio EPA Water Supply Revolving Loan Account (WSRLA) Funds for the construction portion of this project, estimated to be approximately \$542,223.

This resolution authorizes the City Manager to apply for, accept, and enter into a WSRLA Agreement on behalf of the City of Canfield for the project. This legislation is a requirement of the loan application and is being passed as an emergency due to the loan application deadline being February 1, 2022.

Action Needed:

Approval of resolution authorizing the City Manager to apply for, accept and enter into a WSRLA Agreement on behalf of the City of Canfield for the construction of drinking water facilities.

Attachment(s):

Resolution authorizing the City Manager to apply for, accept and enter into a WSRLA Agreement on behalf of the City of Canfield for the construction of drinking water facilities.

Public Comments.

- C. A **Motion** Authorizing the City Manager to Enter into a Subdivider's Agreement with 100% Surety Bond or Irrevocable Special Letter of Credit with Stonebridge Land Corporation.

Description:

Mr. Charles Masters of the Stonebridge Land Corporation has completed the construction of infrastructure in Phase 10 of the development known as Stonebridge. In order for Mr. Masters to begin selling lots within this phase of the development, the City of Canfield regulations require the Subdivider and the City to enter into an agreement with the City of Canfield.

This agreement will provide a 100% surety bond or irrevocable special letter of credit with the Subdivider in order to protect the City's interests and to ensure the required improvements have all been satisfactorily installed.

The Planning and Zoning Commission recommended final approval of Stonebridge Plat 10 with Bond at their January 13, 2022 meeting.

This motion authorizes the City Manager to enter into the subdivider's agreement with 100% surety bond for Stonebridge Plat 10 by Charles Masters.

Action Needed:

Approval of Motion authorizing the City Manager to enter into the subdivider's agreement with 100% surety bond for Stonebridge Plat 10 by Charles Masters.

Attachment(s):

Motion authorizing the City Manager to enter into the subdivider's agreement with 100% surety bond for Stonebridge Plat 10 by Charles Masters.

Recommendation Letter from Planning & Zoning (January 13, 2022)

Public Comments.

- D. A **Motion** Authorizing the Rotary Club of Canfield to Proceed with Construction of a New Gazebo on the Village Green.

Description:

The Canfield Rotary Club approached the City of Canfield regarding designing and constructing a new Gazebo on the Village Green. The new Gazebo will be a replica of the existing Gazebo and will mimic the look, there will be enhancements to the materials, the size, and will install updating audio and lighting equipment in the Gazebo.

The City of Canfield will partner with the Rotary Club of Canfield on this project and has been involved in the planning and design of the new Gazebo, and will be engaged during the construction phase of the project. The Parks, Recreation and Cemeteries Board is also supportive of this project.

This motion authorizes the Rotary Club of Canfield to proceed with the construction of a new Gazebo on the Village Green.

Action Needed:

Approval of motion to authorize the Rotary Club of Canfield to proceed with construction of a new gazebo on the Village Green.

Attachment(s):

Motion to authorize the Rotary Club of Canfield to proceed with construction of a new gazebo

Public Comments.

12. Council Comments.

13. Adjournment

Introduced by: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 2021-58
ADOPTING SALARY AND BENEFITS FOR ALL FULL
AND PART TIME NON-BARGAINING UNIT EMPLOYEES AND
DECLARING AN EMERGENCY.

WHEREAS, the City of Canfield has established salary and benefits for Full and Part time employees; and

WHEREAS, the Council of the City of Canfield desires to modify the salary and benefits for Full and Part time City employees, and

WHEREAS, the Council of the City of Canfield desires to set the salary for City Manager at \$ _____ for fiscal year 2022.

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

Section 1: Employees not covered under a collective bargaining agreement may receive an annual wage adjustment effective with the first pay period beginning January 1st. This annual wage adjustment is contingent upon appropriated funds approved by City Council. The annual wage adjustment percentage will be comparable to the Consumer Price Index (CPI) increase for the twelve (12) month period from December to December and must be approved by Council.

Section 2: Each employee shall receive an annual evaluation. Subject to limitations set forth in a collective bargaining agreement, employees will be eligible to receive a merit payment or a merit increase, based upon a percentage of annual salary and contingent upon appropriated funds approved by City Council. The amount of the merit payment or merit increase shall be based upon performance up to the maximum amount of the position at any time during the year. Persons eligible to receive an additional merit payment or increase of up to 3% of their annual salary shall not exceed the compensation limitations set forth in Section 3.

Section 3: The following compensation limitations shall be in effect for employees from January 1, 2021 through December 31, 2023 or until such time as a successor Ordinance is approved:

A. Full Time Employees

(1) Administrative Employees

Position	Annual Salary		
	2021	2022	2023
	As	As	As
	determined	determined	determined
	by Council	by Council	by Council
City Manager			
Police Chief	107,260	111,550	116,012

Finance Director	87,294	90,786	94,418
Public Works Superintendent	87,294	90,786	94,418
Information Technology Mgr. (1 – Effective 1/15/22)	77,438	80,536	83,757
Zoning Inspector	59,016	61,376	63,831

(2) Non-Administrative Employees

Position	Hourly Rate of Pay		
	2021	2022	2023
Clerk of Council	26.43	27.48	28.58
Deputy Finance Director	34.32	35.69	37.12
Income Tax Administrator	26.86	27.94	29.06
Account Clerk	21.10	21.94	22.82
Utility Laborer	19.94	20.73	21.56
IT Network & Systems Admin.	24.72	25.75	26.78
IT Technician	22.32	23.25	24.18
Sr. Administrative Police Clerk/Clerk of Court	26.43	27.48	28.58
Administrative Police Clerk/Deputy Clerk of Court	21.76	23.07	24.45
Administrative Clerk (2)	16.97	17.65	18.36
PW Foreman (2 – effective 11/15/20)	32.24	33.53	34.87
PW Coordinator	32.24	33.53	34.87

The Annual salary rate of newly hired administrative employees and the hourly rate of all newly hired non-administrative employees shall be determined by the City Manager at the time of their appointment, but in no case shall exceed the rate listed above in Section 1, A,(1), & A,(2).

B. Part Time Hourly Employees

The rate of pay for Part Time Hourly employees shall be determined by the City Manager and may range from the State minimum wage to a maximum of \$20.00 per hour.

Part time Officers scheduled to work on the OVI Task Force, shall be compensated at the Overtime rate based on their current hourly rate. All Client paid details scheduled through the Canfield Police Department shall be paid at a rate of \$30 per hour, excluding the Canfield Fair.

Section 2: Effective January 1, 2021, all the positions, identified in Section 1, A, are not eligible to receive overtime compensation, with the exception of required attendance at City Council meetings, positions identified in Section 1, A, (1) may elect for the required attendance of all scheduled council meetings (a) the rate of one and one-half (1-1/2) times the Employee's regular hourly rate of pay, or (b) by electing "compensatory time off" which is computed at a rate of one and one-half times the overtime hours worked. Effective January 1, 2022, all the positions identified in Section 1, A, shall not receive compensation for their required attendance at City Council meetings. Instead these positions shall receive "compensatory time off" calculated at a rate of one (1) times the number of hours spent at City Council meetings. These same positions may accumulate up to a maximum of 100 hours of Compensatory Time calculated for each hour worked in excess of forty (40) hours per week. Accumulated Compensatory Time may be used as compensatory time off when approved by the City Manager. An accurate record of compensatory time earned and time taken shall be maintained by the Deputy Finance Director. The City shall be under no obligation to pay said employees for unused accumulated Compensatory Time upon termination or expiration of employment.

Employees, employed in positions identified in Section 1,A, (2)that have overtime hours worked, shall have the option of being paid for the overtime hours worked at (a) the rate of one and one-half (1-1/2) times the Employee's regular hourly rate of pay, or (b) by electing "compensatory time off" which is computed at a rate of one and one-half times the overtime hours worked. This election must be approved by the City Manager or designee and "compensatory time off" hours can be accumulated but only up to a maximum of 100 hours.

Section 3: The probationary period of all original and promotional appointments of employees, including provisional appointments, shall be twelve (12) months. No originally or provisionally appointed probationary employee will be eligible for sick leave, vacation or personal leave during the initial ninety (90) days of employment.

Section 4: The City Manager, with City Council approval, may grant additional compensation beyond the limitations set forth, to employees identified in Section 1, A, (1) and Section 1, A, (2).

The Police Chief shall receive holiday compensation, fitness bonus, uniform maintenance and purchase of uniform on the same basis as is provided to members of the Police Department Collective bargaining Unit pursuant to the current Collective bargaining Agreement, effective from the date of appointment as Police Chief. The Police Chief shall also earn overtime at the rate of one and one-half (1-1/2) times the Employee's regular hourly rate of pay on activities that are reimbursed by outside sources.

Section 5: All full time non-administrative employees shall work forty (40) hours per week. The work hours of each Administrative employee shall be scheduled by the City Manager and insofar as possible, shall be five (5) consecutive days of 8 hours each or four (4) consecutive days of 10 hours each or other scheduled hours as set forth from time to time by the City Manager. The pay of any scheduled full time employee that works less than forty (40) hours per week, excluding absences identified in Sections 7, 8, 9, 10, 11, 12, 13, 14, 15 and Compensatory Time off, will be reduced by the number of hours not worked times(x) that employees' hourly rate of pay or, for Administrative employees, his/hers annual salary divided by 2080 hours.

Section 6: A, Part Time Hourly employees are not eligible to receive any of the benefits identified in Sections 7, 9, 10, 11, 12, 13, 14, 15, 16, and 18 .

B, Seasonal Part Time Hourly employees are not eligible to receive any of the benefits identified in Sections 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 18.

Section 7: Employees shall be entitled to take vacation after completion of initial ninety (90) days of employment. Time off for vacations must be approved by the City Manager or his/her designee. Employees shall accumulate vacation days at the following rates, if the employee is in full pay status for at least (20) days during such month:

Years of Service – After	Accumulative Rate (days)	Accumulative Rate (hours)	Equivalent Total Days per year
1 month through 3 years	5/6 of a day per month	6.66 hours per month	10 days
4 years through 5 years	1 day per month	8.00 hours per month	12 days
6 years though 10 years	1-1/4 days per month	10.00 hours per month	15 days
11 years through 15 years	1-1/2 days per month	12.00 hours per month	18 days
16 years through 20 years	1-3/4 days per month	14.00 hours per month	21 days
21 years through 25 years	2 days per month	16.00 hours per month	24 days
26 years and more	2-1/2 days per month	20.00 hours per month	30 days

Each employee shall take at least five (5) days of vacation per year and may accumulate the unused portion of entitled vacation days up to a maximum of 25 vacation days (200 hours). Vacation days cannot be taken in anticipation of entitlement.

Each non-probationary Employee shall have the option to cash out up to forty (40) hours of accumulated vacation time once per year so long as the employee maintains at least forty (40) hours of vacation time in their vacation leave bank. Employees exercising this cash out must request the cash out by November 1st. The vacation cash out shall not count as taking the minimum required vacation days as outlined above. An employee desiring to resign from employment should give a minimum of two weeks notice of resignation to the City Manager or his/her designee. The employee, after the submission of his/her notice of resignation, will then be eligible to receive payment for his/her accumulated vacation pay for up to a maximum of 25 working days.

An employee that qualifies for “Family Leave” to care for a spouse, son, daughter or parent with a “serious health condition” may request in writing a one-year advance on vacation time. Said request may be approved by the Manager after reviewing medical certifications. Said advance shall be granted only once per “serious health condition”. Said vacation advance shall not entitle the employee to payment upon employee’s termination of service, whether voluntary or involuntary. (For the purposes of this Ordinance, the terms “family leave” and “serious health condition” shall be defined as provided in the Family and Medical Leave Act of 1993.)

Section 8: Employees may use sick leave upon approval of the City Manager or his/her designee and may use sick leave segments of one (1) 8 hour day, unless prior approval is granted.

- A. Sick leave shall be defined as an absence with pay necessitated by: (1) illness or injury to the employee or his/her "immediate family" as defined in subsection C below; (2) exposure by the employee to a contagious disease communicable to other employees; or (3) serious illness, injury, childbirth by the employee or the employee's spouse; or (4) medical, dental and optical examinations or treatment which prevents the employee from performing his/her assigned duties.
- B. All full time employees shall earn sick leave at the rate of five (5) hours per pay or ten (10) hours per month or one and one-quarter (1-1/4) days per month and may accumulate such sick leave to a maximum of 2000 hours or two hundred fifty (250) work days; provided, however, that an employee shall not earn sick leave for any month unless he is in full pay status for at least twenty (20) work days during such monthly period.
- C. When the use of sick leave is due to illness or injury in the immediate family, "immediate family" shall be defined to only include the employee's spouse, children or parents.
- D. Upon the death of an Employee who has at least five (5) years of continuous full-time service, or upon the retirement of a full-time employee who has at least ten (10) years of continuous service with the City of Canfield, such employee shall be entitled to receive a cash payment equal to their hourly rate of pay at the time of retirement multiplied by one fourth (1/4) the total number of accumulated but unused sick hours earned by the employee, as certified by the Deputy Finance Director, providing that such resulting number of hours to be paid shall not exceed five hundred (500) hours.
- E. The accumulated sick leave hours of an employee who transfers from one department to another will not be impacted because of his/her transfer.
- F. The City Manager may require an employee to furnish a satisfactory medical excuse, in writing, for absences of three (3) days or greater, that indicates that the absence was the result of one or more of the incidents described in Section 8, A.. Any abuse of sick leave shall be just and sufficient cause for discipline as may be determined by the City Manager or his designee.
- G. An employee that qualifies for "Family Leave" to care for a spouse, son, daughter or parent with a "serious health condition" may request in writing a one-year advance on sick leave. Said request may be approved by the Manager after reviewing medical certifications. Said advance shall be granted only once per "serious health condition". Said sick leave advance shall not entitle the employee to payment upon employee's termination of service, whether voluntary or involuntary. (For the purposes of this Ordinance, the terms "family leave" and "serious health condition" shall be defined as provided in the Family and Medical Leave Act of 1993.)

Section 9: A sick day bonus of six (6) hours of pay per quarter (defined in table below) will be paid on May 30th for the first half and November 30th for the second half of each year to those full time employees who have taken no sick days in the respective quarter. Each quarter will be evaluated independently for use of sick time. For example, if an employee uses sick

leave in the first quarter and no sick leave in the second quarter, they will receive a bonus of six (6) hours of pay on May 30th. Payment will be made by separate check.

Quarter	Begin Date	End Date
1	November 16	February 15
2	February 16	May 15
3	May 16	August 15
4	August 16	November 15

Section 10: Each full time City employee shall be granted two (2) Personal Days per calendar year with the following stipulations:

- A. Each employee identified in Section 1, A, (1), and 1, A, (2), must have their Personal Day approved in advance by the City Manager or his/her designee.
- B. Personal Days must be taken (or lost) by May 30th of the succeeding year.

Section 11: A full time employee shall be granted time off with pay (not to be deducted from the employee’s sick leave) for the purposes of attending the funeral of a member of the employee's immediate family. Immediate family shall be defined to only include the employee's mother, father, spouse, former spouse, child, brother, sister, father-in-law, mother-in-law, grandparents and grandchildren. The employee may request up to a maximum of four (4) work days for each death in the immediate family.

An employee shall be granted time off with pay (not to be deducted from the employee’s sick leave) one (1) day to attend the funeral of an employee’s aunt, uncle, niece, nephew, or other relative living in your household under your care.

Section 12: An employee of the City of Canfield who may be injured in the course of duty in the employment of the City shall, upon filing with the Industrial Commission Workers' Compensation Division, a claim for such injury, receive from the City of Canfield injury leave with pay at their regular salary or hourly rate based on forty (40) hours per week.

Any compensation received in lieu of wages under Workers' Compensation Act or other insurance, the premiums of which were paid by the City, shall be reimbursed to the City or deducted from the employee's pay.

The maximum limit for injury leave with pay shall be ninety (90) days.

In case of an injury to an employee, the City manager or his designee shall cause a report of injury to be made to an appropriate physician within two (2) days. This physician shall be asked to submit a report to the City Manager, within ten (10) days after receiving the City Manager's report, stating what the employees’ disability is, if any, and what action has been or will be taken to correct the cause of any disability and the estimated time the employee will be absent from work, if any. The injured employee shall not return

to duty until a written certified statement from his physician authorizing the return to work is received by the City Manager.

Section 13: The terms and conditions under which a full time City Employee can request a leave of absence without pay will be governed by Section 8.05 of the Civil Service Commission of the Municipality of Canfield, Ohio's Rules and Regulations adopted November 14, 1973 and subsequently amended. For the first three (3) months, any employee granted a leave of absence without pay by the City Manager with the approval of City Council, shall continue to receive all benefits they are entitled to by their employment contract or this Ordinance. In the event that the Civil Service Commission grants a leave of absence to an employee for more than three (3) months, the Council of the City of Canfield will determine on a case-by-case basis if said employee will continue to receive their benefits after the third month of the leave of absence.

Section 14: An Employee who has been employed by the City of Canfield for at least twelve (12) months and has worked 1250 hours during the previous twelve-month period is an "eligible Employee" for family leave.

Family leave is twelve (12) weeks (60 working days), is unpaid and shall be granted to an "eligible employee":

- A. Because of the birth of a son or daughter of the Employee and in order to care for such son or daughter.
- B. Because of the placement of a son or daughter with the Employee for adoption or foster care.
- C. Because of a serious health condition of the Employee that makes the Employee unable to perform the functions of the job.
- D. Because of the need to care for the employee's spouse, son, daughter or parent with a "serious health condition".

An eligible Employee shall be granted, when requested, a total of twelve (12) weeks of family leave within the first twelve (12) months after a baby's birth or placement or for the need to care for the employee's spouse, son, daughter or parent with a "serious health condition".

Said leave may be taken by either parent.

During family leave, the eligible Employee shall first use all accumulated vacation, compensatory time and sick leave. However, the Employee may request to reserve some portion of vacation, compensatory time and sick leave, not exceeding 5 days. Then the Employee shall take the balance of family leave as unpaid leave.

Leave for the birth or placement of a child must be taken in one block of time, unless approved by the Employer.

Leave for the "serious health condition" of the employee's spouse, son, daughter or parent may be intermittent.

An Employee is required to request leave in writing thirty (30) days prior to commencement, if possible.

The Employer may request medical certification regarding the “serious health condition” and the probable duration of care.

If both parents are employed by the same Employer, the total amount of leave provided shall not exceed twelve (12) weeks (60 working days).

During the unpaid leave, all health care and life insurance benefits will be paid by the Employer.

If an Employee elects not to return to work after the expiration of the family leave, the Employer may recover from the Employee the cost of medical premiums paid during the unpaid portion of the leave.

Section 15: Holidays: The following twelve (12) Holidays shall be observed by all full time employees covered by this Ordinance: 1. New Year's Day, 2. Martin Luther King Day, 3. President's Day, 4. Good Friday, 5. Memorial Day, 6. Independence Day, 7. Labor Day, 8. Veteran’s Day, 9. Thanksgiving Day, 10. Day after Thanksgiving Day, 11. Day before Christmas, 12. Christmas Day. When the holiday falls on a Saturday, Friday will be observed as the holiday day. If the holiday falls on a Sunday, Monday will be observed as the holiday day. Only the individuals who are required to work to maintain the minimum service that is necessary shall be scheduled to work the holiday. This schedule shall be determined by the City Manager or his/her designee. Employees identified in Section 1, A, (2) shall be compensated at a rate of time and one half for actual work on a holiday.

Section 16: Insurance: The City of Canfield shall provide and pay a portion of the costs of a group hospitalization, surgical insurance, and major medical plan for all full time employees during their employment with the City except as otherwise excluded in this Ordinance. The employees shall contribute the following amounts toward payment of the premiums as follows:

	<u>2021</u>	<u>2022</u>	<u>2023</u>	
Single	12%	12%	12%	% per pay of the annual premium divided by 24
Employee/Child	12%	12%	12%	% per pay of the annual premium divided by 24
Employee/Spouse	12%	12%	12%	% per pay of the annual premium divided by 24
Family	12%	12%	12%	% per pay of the annual premium divided by 24

The City may elect to provide optional Vision and Dental plans and coverage. All employees desiring the aforementioned insurance shall make proper application with the Deputy Finance Director of the City of Canfield.

The City will also pay the full premium for all full time employees for a convertible term life insurance policy in the face value of Thirty-five Thousand Dollars (\$35,000).

Section 17: Professional Liability: The City of Canfield will provide professional liability coverage for employees whose job may require such coverage as determined by the City Manager.

Section 18: Jury Duty: Any full time employee who is called for jury duty, at either a Federal, County or Municipal Court, shall be paid his/her regular salary or his/her regular hourly rate for this lost time.

Section 19: Compensation for all work performed by City employees is scheduled to be paid semi-monthly on the 15th and 30th of each month, with the exception of February where the second pay shall be made on the last day of the month. If the 15th or 30th falls on a Saturday, Sunday or holiday, the employee will be paid on the last scheduled workday preceding the 15th or 30th or holiday.

Section 20: Mileage reimbursements for use of personal vehicle on City business shall be at the current published rate established by IRS. All expenses conforming to the City Travel Policy will be reimbursed, in a reasonable period of time, when requested and authorized by Purchase Order.

Section 21: Sick/Vacation Leave Cash Buyout Plan. When an employee chooses to retire, he/she will be afforded the opportunity to avail themselves of a pre-retirement Sick/Vacation Leave Buyout Plan as follows;

- A. In addition to the severance pay allowable by this Ordinance, employees who have a minimum of 23 years' service credit with OPERS may request an early payout of their accumulated sick leave and/or vacation leave hours.
- B. This **Sick/Vacation Leave Cash Buyout Plan** shall allow for the early payout of accumulated sick and/or vacation leave and shall be limited to a maximum of two hundred forty (240) hours of sick leave each year prior to retirement or a maximum of two hundred (200) hours of vacation leave each year prior to retirement, or any combination of both up to a maximum combined total of two hundred and forty (240) hours each year prior to retirement. These early payouts will be paid to a retiring employee during a maximum of three (3) years prior to the employees' retirement date. The payment value of these sick/vacation leave hours shall be calculated using the hourly rate in existence at the time the employee gives notice of retirement. Each payment shall be subject to normal payroll deductions. Enrolling in the **sick/vacation leave cash buyout plan** will not interfere with the employees' eligibility to earn a sick leave bonus.
- C. In order to participate in the **Sick/Vacation Leave Cash Buyout Plan** the employee must give written notice to the employer of his/her intention to retire in 3 years or less from the date of the written notice. Within 90 days, following the date of the employee notice, a letter of understanding, that identifies the date of retirement and the payout option listed below, that fits with the retirement date, must be signed by both the employee and the employer.

If the retirement date is:

Option 1:

Three years from the date of the signed letter of agreement, then the accumulated sick and vacation entitlement shall be paid out in equal installments, on scheduled pay dates, over three (3) years and paid at the current value of the entitled hours in existence at the date of the agreement.

Option 2:

Two years from the date of the signed letter of agreement, then the accumulated sick and vacation entitlement shall be paid out in equal installments, on scheduled pay dates, over two (2) years and paid at the current value of the entitled hours in existence at the date of the agreement.

Option 3:

One year from the date of the signed letter of agreement, then the accumulated sick and vacation entitlement shall be paid out in equal installments in one year, on scheduled pay dates and paid at the current value of the entitled hours in existence at the date of the agreement.

All payments of **Sick/Vacation Leave Cash Buyout Plan** benefits will be made on regularly scheduled payroll payment dates.

- D. When the letter of understanding agreement has been signed, - the total buyout hours identified in that agreement will be deducted from the accumulated sick and/or vacation leave hours in effect immediately before the signing of the agreement and only the remaining balance of accumulated sick and/or vacation leave hours shall be available for normal use by the retiring employee during his/hers remaining years of employment before retirement.
- E. If the employee, subsequent to the signing of the letter of understanding agreement, experiences a documented long term or extenuating catastrophic illness, then, but only after a complete review of the circumstances by the Employer together with the approval of the Canfield City Council;
 - the letter of understanding agreement between the employee and the employer shall be suspended and
 - the hours of sick and/or vacation leave, identified in the letter of understanding agreement, shall be added back to the employees current accumulated sick and/or vacation hours and the hours paid to the employee, under the **Sick/Vacation Leave Cash Buyout Plan**, shall be deducted from that same current balance of accumulated sick and/or vacation hours.
- F. A retiring employee may only apply for the benefits under the **Sick/Vacation Leave Cash Buyout Plan** once during his/her employment with the City of Canfield unless his/her participation in the plan was suspended as indicated in Sec. 21 E.

Section 22: Emergency Ordinance. That this Ordinance is hereby declared to be an emergency to retroactively apply changes in the Ordinance to January 1, 2022.

Section 23: 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., 2022.

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

December 29, 2021

Wade Calhoun
Canfield – City Manager
Evaluation – 2021 Calendar Year

This performance review is regarding Mr. Calhoun's fourth year (2021) as Canfield's City Manager. The Council members evaluating Mr. Calhoun's performance as City Manager include Bruce Neff, Charles Tieche, Anthony Nacarato, Richard Duffett, and John Morvay (myself). Evaluation was completed via the City Manager Performance Evaluation Form (CMPEF) regarding the following areas:

- Management of the Organization
- Execution of Policy
- Financial Management
- Planning and Economic Development
- Relations with Council
- Community Relations
- Communication
- Leadership
- Professionalism
- Individual Qualities

Performance marks range from 0-6 with supporting remarks:

- 0 – Unsatisfactory
- 1 – Poor
- 2 – Fair
- 3 – Good
- 4 – Very Good
- 5 – Excellent
- 6 – Outstanding

Management of the Organization – 5.0 Average

Rubric: Effectively runs the operations of the organization; creates a collaborative, team building environment for staff; recognizes the accomplishments of staff and other agencies working on behalf of the city; supports professional growth and opportunity within the organization; accepts full accountability for staff and the outcome of City projects or decisions; identifies organizational problems and takes remedial action.

Mr. Calhoun has implemented policies that clearly motivate, measure, and evaluate performance. Examples include a monitoring process through the City Honors System Manual (2020) and the yearly employee performance evaluations to track progress, map a way forward, and hold individuals accountable. Mr. Calhoun has clearly planned and provided the help to all personal to achieve their goals and objectives. Additionally, he provides them with a sense of focus and direction. Mr. Calhoun's staff is organized, and resources are used to create maximum utilization; there is good order and responsibility within our organization. He continues to reorganize and improve efficiency within different departments, and is determined to get the most qualified personnel, reduce workload, and get projects done.

Mr. Calhoun is viewed as an excellent communicator by majority of Council. However, one member of Council doesn't feel that Mr. Calhoun identifies organizational problems and shares them with Council. Council does agree that Mr. Calhoun initiates action and keeps the organization moving forward.

Execution of Policy – 5.0 Average

Rubric: Understands and complies with policies and procedures governing the City. Implements City policy – fairly and consistently – based upon Council decisions, goals, and applicable laws and regulations. Works toward accomplishing identified Council goals; presents matters in a factual, analytical way; coordinates Council policy decisions to staff, departments, other organizations, and the community.

Mr. Calhoun is outstanding in his ability to identify issues to be addressed by policy. He formed an agenda that addresses problems within the City and drafted policies to correct or improve City operations. Examples of policy and procedure changes include:

- Police Department: Cruiser Fleet Upgrade from Dodge Charger to Chevy Tahoe
- Unmarked Vehicle Lease Program (2019)
- Body Cameras (2020)
- Dispatch Center Upgrade (2020)
- Public Works Department: Increased Personnel (2018 & 2019)
- Vehicle Replacement Schedule (2018)

- Bucket Truck Replacement & Upgrade (2019)
- Vac-Tron Truck Replacement & Upgrade (2020)
- Equipment Upgrades (2018 – 2021)
- Salt Storage Upgrade (2021)
- Information Technology (IT): Storage Area and Server Upgrades (2018)
- Cisco Phone Server Upgrades (2021)
- Backup Solution/Recovery/Server Room Optimization (2020)
- Administration: City Honors System Manual (2020)
- Canfield Comprehensive Plan (2019)
- City Hall Updates & Workstation Enhancements (2018 – 2021)
- Finance Department Reorganization & Office Location Utilization (2019)
- Employee Performance Evaluations and Reviews (2021)
- Expanding Activities on the Green (2020 & 2021)

Mr. Calhoun is very detailed, performing due diligence before making decisions or taking corrective action. He is currently working on the following projects:

- Development of Red Gate Farm property including water and sanitary sewer extensions
- American Rescue Plan Act (ARPA) fund utilization
- Waterline replacements for Bradford and Neff Drive
- Sawmill Creek Improvement project
- Hilltop stormwater study

Engineering and Design work was performed by Howells & Baird Inc. for the water infrastructure for Bradford Drive and Neff Drive, which includes backup feed from the City of Youngstown. Construction is anticipated to begin in spring of 2022. One of the biggest improvements to the water infrastructure will be the installation of automated water meters as part of CARES Act funding. Mr. Calhoun has quality rapport with his employees, and there is mutual respect among them. When Council determines new policies, Mr. Calhoun has efficiently communicated changes to his staff, departments, other organizations, and the community.

Majority of Council supports Mr. Calhoun's decisions on execution of policy. However, one member of Council feels that there is poor communication, and that Mr. Calhoun does not adequately identify council goals.

Financial Management – 5.2 Average

Rubric: Properly prepares and manages the city budget. Demonstrates ingenuity and creativity in approaching budgetary matters, including long range revenues and expenditures for the organization. Council President's personal observation is that Financial Management is Mr. Calhoun's strong point.

Council forms organizational goals and objectives and Mr. Calhoun is responsible for the process of planning, organizing, controlling, and monitoring of financial implementation and progress. Additionally, Mr. Calhoun is responsible for procurement of funds, utilization of funds, accounting, payments, risk assessment, and any other function related to money. His budget is based on real numbers and constraints that may affect outcomes. Mr. Calhoun's plans are measured for success, and he will often develop outside-the-box ideas to give a different prospective. His budgets are accurate and properly managed, i.e., COVID monies were used wisely and effectively. Mr. Calhoun's financial reports and dashboards are clear, accurate, and concise. Our City Finance Director – under Mr. Calhoun's supervision – continues to receive outstanding merits and state recognition of excellence.

Majority of Council feels Mr. Calhoun's work in finance is excellent. However, one Council member feels as if Mr. Calhoun does not get prior input from all of Council before making financial decisions.

Planning and Economic Development – 4.6 Average

Rubric: Involved in planning process at the appropriate level. Reviews the process and looks for better ways to handle development activities; works well with developers while protecting the City's interest; actively works to increase tax base through economic development initiatives.

To ensure success, Mr. Calhoun conducts a SWOT analysis using input from all stakeholders and works well with outside consultants and developers. He continues to work with MS Consultants on the comprehensive plan, designing enhancements to the City water and storm sewer system and finalizing plan details for the Sawmill Creek Improvement Project. Mr. Calhoun is planning an update to the Strategic Plan in 2022; Council will be tasked with preparing a new Strategic Plan to update and align the short-term objectives with the long-term objectives identified in the Canfield Comprehensive Plan. Mr. Calhoun has met with interested parties in developing the Red Gate Farms Property and is working on day-to-day issues concerning the Millennial Moments JEDD and property development. A more comprehensive list and details on Planning and development can be found on the attached FY2021 Year in Review.

Majority of Council feels that Mr. Calhoun is doing an excellent job. However, one Council member feels that Mr. Calhoun has strained his relationship with the Millennial Moments project and is less than open regarding the Red Gate Farms planning initiative.

Relations with Council – 4.8 Average

Rubric: Provides regular updates to the Council, keeping them informed about current and critical issues. Tries to be accessible to Council members; handles issues that are brought by the Council in a consistent and timely manner; maintains honest, truthful, and professional relations with each Council member; keeps a positive attitude and approach to new ideas, issues and complaints raised by Council.

Mr. Calhoun makes time to answer questions, listen to ideas, and discuss policy. There is a known difference of opinion with the current Mayor, however, a professional relationship is maintained.

Majority of Council is of the opinion that Mr. Calhoun is doing an outstanding job, indicating Mr. Calhoun is very responsive to their questions and requests for information. Councilman Neff would like better communication with Mr. Calhoun and feels Mr. Calhoun's decisions should be more in "concert" with Councils' objectives.

Community Relations – 4.8 Average

Rubric: Tries to understand general community issues and concerns. Remains involved and active in the community; represents the city well and in a professional and positive manner while interacting with citizens, other governmental agencies, and neighboring communities; works proactively with the media and press; works effectively with community organizations, Chamber of Commerce, Mahoning County, Canfield Local School District, and other agencies; educates the community on City goals and services.

Mr. Calhoun is assigned the responsibility of protecting the assets of the City of Canfield, and negotiations have been criticized and perceived to be inflexible. The most notable incident involved the Public Works employees and the Utility Workers Union of America (UWUA) which resulted in the UWUA challenging our Charter by proposing amendments to three sections of our Charter. Ultimately, Mr. Calhoun's direction was supported by Council and the citizens of Canfield, and all three Charter amendments were defeated on the ballot. Immediately following this event Mr. Calhoun was successful in negotiating an agreement that was beneficial to both the UWUA and the City of Canfield. Additionally, Mr. Calhoun has successfully negotiated with the Cardinal Fire District and Canfield Schools.

Majority of Council feels Mr. Calhoun is doing an excellent job with regards to community relations. One Council member would like to see relationship improvement with other public agencies, specifically the Cardinal Joint Fire District, Canfield Local Schools, Canfield Township, and the UWUA.

Communications – 5.0 Average

Rubric: Ensures that Council receives important information in a timely and effective manner; presents Council and community with clear and accurate written reports and correspondence; responds to correspondence, requests, and complaints, quickly and appropriately; facilitates open two-way communication and encourages mutual honesty and respect with the community, Council, and staff.

Mr. Calhoun continues to send out a weekly email update that gives a 360-degree view of events and important communications impacting the city. He is open for discussion and one-on-one conversations concerning City business while being quick to respond to all communications. Mr. Calhoun is prepared to answer questions or concerns regarding City business and is consistently well prepared for Council meetings, having performed excellent due diligence. He made improvements to the City of Canfield website, and those improvements continue to be updated for better communications with residents and others. Mr. Calhoun is an advocate of social media and uses it to communicate as well.

Majority of Council is of the opinion that Mr. Calhoun does an outstanding job of communicating. However, one Council member is concerned that Mr. Calhoun does not encourage two-way communications and does not promote “*mutual honesty with community respect*”.

Leadership – 4.8 Average

Rubric: Provides Council and the City with real solutions and creative alternatives to issues and problems; anticipates and responds to issues; assures Council decisions are thought out, objective, and consistent with past practices while being legal and ethical. Makes use of sound administrative practices; leads with successful management by challenging staff to perform at the highest level and by actively promoting effective and efficient delivery of service.

Mr. Calhoun’s colleagues and peers describe him as a successful leader possessing: Confidence, Creativity, Accountability, Transparency, Delegation, Vision, and Integrity. Mr. Calhoun is confident in his actions and goals and speaks courageously, rallying followers around a goal. Mr. Calhoun understands that a level of creativity is needed for effective problem solving

and follows through on commitments while taking ownership of both his successes and failures. He openly shares information with others and communicates well with others. Mr. Calhoun follows through on tasks while successfully tapping into the skills and strengths of others. He assesses a problem from a “bird’s eye view” and develops clear paths to a solution. Lastly, Mr. Calhoun possesses strong moral values.

Majority of Council is of the opinion that Mr. Calhoun’s leadership is excellent, with one member stating: “good except for ‘bull in the china shop’ incidents”. This expression is derived from Mr. Calhoun’s negotiations with the Cardinal Joint Fire District and should only be interpreted in that Mr. Calhoun was very firm on holding on to his expectations and outcomes.

Professionalism – 5.0 Average

Rubric: Deals effectively and appropriately with the public and other organizations, while looking out for the best interests of the City of Canfield and the citizens. Devotes time and energy to the job; demonstrates high ethical standards in the organization; works to keep “politics” and personal perspectives out of the decision-making process.

Mr. Calhoun is active in professional organizations that promote education, knowledge, and understanding of his profession. He is very competent, and his abilities match the requirements of his position. Mr. Calhoun demonstrates his professionalism by being reliable – he sets high standards and shows how he cares about every aspect of his job. He is diligent, organized, and holds himself accountable for his thoughts, words, and actions. Mr. Calhoun has also been challenged by legal matters that have been imposed on the City and has been diligent in demonstrating competency while addressing litigation.

Council is of the opinion that Mr. Calhoun’s professionalism is excellent.

Individual Qualities – 5.0 Average

Individual qualities that are important in carrying out the duties of the City Manager position for the City of Canfield include:

- *Creative, anticipative, innovative*
- *Skilled at Listening and isolating key points or issues*
- *Verbal and written communications*
- *Decision making process; fairness and impartiality*
- *Flexible, objective, and receptive to suggestions*
- *Effectively mediates and resolves problems*

- *Universally applies common sense tact and diplomacy*
- *Self-confident; accepts criticism; able to cope with stress and maintain self-control*
- *Displays enthusiasm for work*
- *Demonstrates integrity and loyalty to the City's best interest*

Mr. Calhoun demonstrates all the above qualities, and this has facilitated the growth and success in the City of Canfield for 2021. Mr. Calhoun sets his expectations high and mandates the same expectation from his coworkers. In 2022, he is planning to demonstrate and teach the above qualities to his staff and implement the Pyramid of Success concept therefore achieving "Competitive Greatness".

Council is of the opinion that Mr. Calhoun's individual qualities are excellent.

Accomplishments

Attached to this evaluation is 2021 Year in Review document that identifies this year's accomplishments. Highlights include:

- Finalized Cardinal Fire District lease and dispatch agreements
- Started zoning code audit
- Utilities extended to Millennial Moments and Red Gate
- Multiple residential developments in progress; more pending
- Reorganizing departments and adopting the Honor System as well as an employee evaluation
- Significant resurfacing projects completed
- Planning and design for storm water drainage project underway
- Remodeling and updating the dispatch center along with other IT upgrades.
- Construction of new salt storage facility
- Planning grant acquired for Cardinal connector
- UWUA contract negotiations complete
- Columbarium project at East Main Street in progress
- Continue to improve city operated leaf collection program
- Continue to improve utilization of city parks (pickle ball courts)
- Update the Pavement Condition Rating (PCR) program
- Continue to reorganize and update policies and procedures within departments
- Continuous improvement implementing the Annual Performance Evaluations
- Deployed and implemented the AMI pilot program (automatic meter reading)
- Strategic Plan Initiatives and updates

Objectives

Performance objectives Council feels are important for the City Manager to work on for the coming year include:

- The implementation of the comprehensive plan
- Continue to find efficiencies within departments that produce better services while reducing the budget
- Continue to attract Investment
- Improve relationships with all stakeholders including Council
- Continue infrastructure improvements
- Continue negotiations with Youngstown Water Contract
- Continue to be proactive on economic development with emphasis on the Village Green, East Main Street, and Red Gate
- Clean up Canfield Campaign
- Implement the AMI automatic meter reading system throughout the city
- Exploration of fiber network throughout the entire city

Scoring Summary – 49.2 Cumulative Total

In summation, Mr. Calhoun continues to impress Council with his education, skills, and abilities. Mr. Calhoun is a natural leader and a person that gets things done. He has earned the respect of his peers and is continuously working to make Canfield better.

Mr. Calhoun exemplifies excellent leadership for the City of Canfield and has all stakeholders' best interest in mind when making decisions. He is the right person to lead Canfield into the future. A copy of the City's FY2021 Year in Review follows this evaluation to highlight and review the progress and accomplishments the city has achieved under Mr. Calhoun's leadership.

John Morvay
President – City of Canfield Council
December 29, 2021

Introduced by: _____

First Reading: _____

RESOLUTION

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF CANFIELD FOR CONSTRUCTION OF DRINKING WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN AND DECLARING AN EMERGENCY.

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

WHEREAS, the City of Canfield intends to apply for **Water Supply Revolving Loan Account (WSRLA)** for the planning, design and or construction of the water facilities; and

WHEREAS, the Ohio **Water Supply Revolving Loan Account (WSRLA)** 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 Supply Revolving Loan Account (WSRLA)** with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of Water facilities on behalf of the City of Canfield, Ohio.

Section 2: That the dedicated source of repayment will be water 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 February 1, 2022 and this Resolution will not be in effect until February 18, 2022.

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 _____ DAY OF _____ A. D, 2022.

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 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

Introduced by: _____

Motion No. _____

MOTION

A MOTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A SUBDIVIDER'S AGREEMENT WITH
100% SURETY BOND OR IRREVOCABLE SPECIAL LETTER OF
CREDIT WITH STONEBRIDGE LAND CORPORATION

WHEREAS, the City of Canfield desires to enter into an Agreement with Stonebridge Land Corporation; and

WHEREAS, this Agreement is a requirement of the Subdivision and Land Development Regulations for the City of Canfield; and

WHEREAS, this Agreement is necessary in order to protect the City's interest with regard to Stonebridge Plat 10 in the City of Canfield, Mahoning County, Ohio; and

WHEREAS, it is in the mutual best interest of both parties to proceed with the signing of this Agreement as soon as possible.

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

Section 1: The City Manager is hereby authorized to enter into the attached Subdivider's Agreement with Stonebridge Land Corporation for the protection of the City's interest with regard to Stonebridge Plat 10 in the City of Canfield, Mahoning County, Ohio.

Section 2: That this Motion and all deliberations relating to the passage of this Motion 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. 2022.

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Motion 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





Introduced by: _____

Motion No. _____

**A MOTION AUTHORIZING
THE ROTARY CLUB OF CANFIELD
TO PROCEED WITH CONSTRUCTION OF
A NEW GAZEBO ON THE VILLAGE GREEN**

WHEREAS, the Rotary Club of Canfield has raised money and engaged contractors and suppliers necessary to construct a new gazebo on the Village Green; and

WHEREAS, the Council of the City of Canfield desires to authorize the Rotary Club of Canfield to proceed with such construction, **NOW, THEREFORE, IT IS HEREBY MOVED AS FOLLOWS:**

Section 1. That the Rotary Club of Canfield is hereby authorized to proceed with the construction of a new gazebo on the Village Green in accordance with (i) all plans submitted to the City and (ii) the applicable laws of the State of Ohio and the City of Canfield.

Section 2. That this Motion and all deliberation relating to the passage of this Motion 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 _____, 2022.

CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereby certify that the foregoing Motion 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



City of Canfield

104 LISBON STREET
CANFIELD, OHIO 44406-1416

Phone: 330-533-1101
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Finance Fax: 330-533-2668
www.canfield.gov



DATE: JANURAY 13, 2022

TO: MEMBERS OF COUNCIL

**FROM: MIKE COOK, SECRETARY
PLANNING AND ZONING COMMISSION**

**SUBJECT: A RECOMMENDATION TO COUNCIL FOR FINAL APPROVAL OF
STONEBRIDGE PLAT 10 WITH BOND BY CHARLES MASTERS.**

At the regular meeting of the Planning and Zoning Commission on January 13, 2022, the following motion was made:

Mr. Neff made a motion to recommend to Council the final approval of Stonebridge Plat 10 with bond by Charles Masters.

The motion was seconded by Mr. Palermo.

This motion passed 4 - 0

MINUTES

CANFIELD CITY COUNCIL REGULAR/REORGANIZATIONAL MEETING JANUARY 5, 2022- 5:30 P.M.

The meeting was called to order by Mark Fortunato, Municipal Attorney, followed by the Pledge of Allegiance. The Acting Clerk called the roll to which a quorum responded as follows: Mr. Dragish, Mr. Morvay, Mr. Nacarato, Mr. Neff and Mr. Tieche.

Staff present: Christine Stack-Clayton, Finance Director; Mike Cook, Zoning Inspector; John Rapp, Public Works Superintendent and Sgt. Cristobal Ruiz (filling in for Chief Colucci)

ATTY. FORTUNATO: At this time, I would like to have someone make a Motion pursuant to Section 2.04 of the Charter and Rules of Council to change the order of business and move NEW BUSINESS, Item D, up to this point of the meeting.

MR. TIECHE: So, moved.

MR. MORVAY: Second.

ATTY. FORTUNATO: Any discussion? Hearing none, Clerk, please call the roll.

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

ATTY. FORTUNATO: We go to Item D on the agenda; which has now been moved up.

MR. NACARATO: I'd like to make a Motion that we appoint John Morvay as Council President.

MR. MORVAY: We need a title only reading on that first.

MR. NACARATO: I'll make a Motion that we read it by title only.

ATTY. FORTUNATO: That's fine.

MR. TIECHE: Second.

ATTY. FORTUNATO: All in favor?

All members of council were in favor of reading Item D by title only.

MR. NACARATO: A Motion appointing John Morvay to the position of Council President. I move for passage.

MR. TIECHE: Second.

ATTY. FORTUNATO: Any discussion?

MR. TIECHE: I think John has done a good job for the last 4 years. Has it been 4.

MR. MORVAY: Close.

MR. NEFF: I think it's been longer than that.

ATTY. FORTUNATO: Any further discussion?

MR. NEFF: I'm going to abstain because I wanted to be President but I don't have the votes. I'm going to yield to John. That's why I'm abstaining. Not that I don't think he's done a good job.

ATTY. FORTUNATO: Okay. Any further discussion? Clerk, please call the roll.

ROLL CALL ON MOTION:	4 Votes-Yes
	0 Votes-No
	1 Abstention. (Mr. Neff)

ATTY. FORTUNATO: That Motion passes. Mr. Morvay, you're President of Council. You can pick up on Item 4 on tonight's agenda.

MR. MORVAY: Thank you, Mark. We do have a quorum. Meeting is in order.

Under **PRESENTATIONS & PROCLAMATIONS**, there were none.

Under **MINUTES**, the Minutes of the Regular Meeting on December 15, 2021 and the Special Meeting on December 31, 2021 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MR. TIECHE: I have none this evening.

MR. NEFF: I have none.

MR. DRAGISH: I have none.

MR. NACARATO: I have none.

MR. MORVAY: I really don't have anything either. Wade, do you have any communications?

MR. CALHOUN: Just a reminder, city offices will be closed on Monday, January 17th, in observance of the Martin Luther King, Jr. holiday. I just wanted to thank Council for my annual evaluation. Overall, very positive. I guess the only thing I can say is, I'm grateful to lead this organization everyday and achieving what we're striving towards now; which is competitive greatness. Anybody that is a fan of John Wooden will know what competitive greatness is. I'm blessed to serve this community each and every day. I'm excited for the future.

MR. MORVAY: Thank you, Wade. My sentiments, not councils, but I believe in my heart we hired the right guy for this job. There is nobody that puts the effort, the talent and the time in to running this city, like Wade has. There are some shortcomings, we've talked about them. We got a real gem here guys. We should be very proud of our city manager, Wade Calhoun. Thank you.

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

MR. TIECHE: We had a Parks Board Meeting. We do not have the Minutes to pass out yet. You will get those probably next week.

MR. NEFF: We have not had our Planning & Zoning Meeting.

MR. DRAGISH: Nothing.

MR. MORVAY: Nothing to report. Oh, this is your first day on the job.

MR. DRAGISH: I'll have something soon.

MR. NACARATO: Design Review met last evening. The minutes will be out and published next week but we had 2 things on the agenda that were old business that passed. We had 1 thing under New Business; which we ended up dividing out the signage based upon some different views. So, the signage on the building we had passed but the signage for the outside sign was Tabled until next month.

MR. MORVAY: I sit on the Fire District. Chief Hutchison has given me a recap of last year. For the year of 2021, we ran 2, 459 responses, 1,565 EMS calls (the ambulance), and 894 fires. Fire alarms and service calls were included in that. We had an increase of 426 calls over 2020. That's a 21% increase. Fire loss for 2020 was only \$6, 400.00. The value of structures saved was \$714,600.00. In December we ran a total of 231 calls, 151 were EMS (ambulance), 80 fire alarms and service calls, we transported 113 to the hospital. I kind of wanted him to give me this synopsis to let you know that the Fire District, like everybody else now is going to be competing for wages. These are highly trained individuals and where we start these folks out,

salary wise, is below the average around here now. In fact, we're one of the lowest. So, to keep our guys and the talent that we have in the Fire District, we're probably going to have to put some kind of a levy on probably as early as May. So, expect that. We need to pay for the services and we need to retain our guys. When we first thought about getting an ambulance, we bought a used ambulance, 5 or 6 years ago. That first year we had 25 or 30 calls. Last year, we ran 1,565 calls. The need was there. Our guys told us the need was there. This has been a great thing that we've brought to the City of Canfield. The other issue is that if you're a citizen of the township or the city, we transport you. We'll bill your insurance company but we won't go after any other deductible or co-insurance or anything that you might be exposed to. You already pay taxes to us and you support us. So, we will go after the insurance company for money/reimbursement but we'll never ask you for a dime. Keep that in mind. I appreciate you supporting the Fire District and keeping it as great as it is. Thank you.

MR. TIECHE: John what were the total calls?

MR. MORVAY: Total call from last year were 2,459 responses. Out of that, 1,565 were EMS calls.

MR. TIECHE: Interesting comparison. It's been a long time- 1971-1975, I served on the Fire Department. We had 100 calls a year. That was a lot of calls. 2,459, wow.

MR. MORVAY: The guys are busy. I'm going to move to our Public Works and that is Mr. John Rapp.

PUBLIC WORKS SUPERINTENDENT: Crews have begun the water meter changeout in the southwest section. We're going Broad Street to Main Street, this quadrant here. Everything is going very well, very good. We're working with people to get these things changed out. It will take some time. We're doing it in-house. I'd rather it that way because we get to do actual inspections on service lines coming in. The EPA requires us to know what kind of service line for our Lead and Copper Program. So, that gives us an actual report that we can put into our GIS with that coordinated address. We have it planned for Friday to remove the holiday decorations on the Green. I talked to Mr. Nacarato and he's going to lend us a hand up there. Hopefully, it will just take a day and we'll have everything put away.

MR. NACARATO: I want to thank Sam Boak. Sam Boak has offered to send a crew up to help us out. I want to thank Sam. Sorry John.

PUBLIC WORKS SUPERINTENDENT: We're continuing to clean out the catch basins that fill with leaves. We're using the new vac jet truck. You've probably seen it out. We're repairing sink holes, as needed throughout the city. They are never ending. We're always getting calls on those. That's all I have for today.

MR. TIECHE: John, do you call people to let them know when you want to get into their house to do the meter change-out?

PUBLIC WORKS SUPERINTENDENT: We do. We call and we'll also knock and leave a door hanger. Just to expect it in this southwest quadrant. If you get a knock on the door a green door hanger or a phone call. We prefer the phone call. Right now, the person that we did have setting that stuff up won't be back until next week. We're sending crews out and putting door hangers on.

MR. NEFF: John, did you mention that you're keeping track of what's copper and what's steel, or did you say lead?

PUBLIC WORKS SUPERINTENDENT: I have not come across any lead in the City of Canfield; which is a great thing. Right now, what we're seeing is steel lines, copper lines and plastic lines. We take all that information, whether the resident or the business has a backflow preventer. We are also looking for wells inside of houses or outside that are connected with our system. We're also looking for auxiliary meters that are supplying a pool. We're taking all this information and putting it with the address and then we can put it on our GIS Mapping with that address. So, we know everything that is going on there with that water system.

MR. MORVAY: Our Finance Director, Christine Clayton.

FINANCE DIRECTOR: The postcards will be mailed by the end of the month with information on how to obtain the city income tax returns and what to include when you file. An exemption certificate for retired individuals is also going to be mailed to taxpayers that we've identified in our software that are retired. Those taxpayers may complete this form instead of a tax return as long as they only have non-taxable income for 2021. Basically, all they have to do is check a box and sign it. Today, I filed the 4th quarter report for the Coronavirus funds from the first legislation. The deadline to spend that money has been extended from December 31, 2021 to February 11, 2022. We have two things hanging out there that we need to get done by February 11th.

MR. MORVAY: Chief Colucci is not here but we have somebody here.

MR. CALHOUN: Filling in for Chief Colucci is Lieutenant Ruiz. Chief had some other obligations this evening.

LIEUTENANT RUIZ: Council, thank you for having me. Just briefly some of the notes that he requested that I provide for you. Number one: January 24th AT&T will be at our police department. They will be installing the remainder of the 911 consoles and upon their completion it will provide us with a fully operational center; which will have 4 full functional consoles to provide services. We will provide you with the year-end summary at the next meeting. We will provide all of the year-end stats at that point. He also requested that I touch on, provide you the opportunity, if you've had any inquiries. He mentioned that a statement was made regarding the potential issue on Hilltop Blvd and some of the speeding issues that have been prevalent there. That is certainly a matter that we've been aware of for many years, throughout the city, traffic control. A statement was made, apparently there was some

concern over whether or not an officer was enforcing the law up there, as it pertains to speed. I just wanted to provide some clarity. As the supervisor monitor of patrol, I can tell you that officers do monitor that area. I believe there was possibly a complaint by a citizen that said, officers had been advising them that they were not enforcing the law up there, as it pertains to speeding. I'm not aware of any follow-up information to determine the accuracy of that statement. I do however can tell you that since that time, I've checked and since October 10th of this year, we have issued, we have actually stopped some cars up there, we stopped 20 cars up there and 16 of the motorists that we stopped were actually cited for violations. Fifteen were for speeding and 1 was for traffic control. There is enforcement going on in that area. If there are any other issues that you're aware of or become aware of by all means, feel free to share that with Wade or the Chief. So, as it trickles down to me, I can address the officers, if it is in fact an actual problem. I'm not aware of one. But we'll continue to do and provide safety for citizens. If that's an issue, please let us know, so we can address it.

MR. MORVAY: Sgt. Ruiz, how is our dispatch center coming?

LIEUTENANT RUIZ: It's coming pretty well right now. I can't speak intelligently, other than to say, our I.T. guys are the main one responsible for that, stipulate, ball park, 30 days after AT&T leaves, it will be fully operational. As I mentioned, we'll have 4 fully operational dispatch consoles. We can move our dispatchers back from the temporary place they're in now.

MR. MORVAY: Great. Thank you. I did talk to our Attorney Fortunato earlier. He does not have a report this evening. Patty, obviously is not here. But Patty does not have a report either. I was going to ask Wade; what time does Patty start in the morning?

MR. CALHOUN: Officially the City opens at 8:00 A.M. She is typically here at 7:30 A.M.

MR. MORVAY: I recognize that.

MR. CALHOUN: She is usually the first one here.

MR. CALHOUN: I go by here and I see her car here sometimes before 7:30 A.M.

MR. CALHOUN: Yeah, on days that I get here early, right around 7:30, she is already here. Unless, I'm showing up at 6:45 A.M., I never beat her here to the office.

MR. MORVAY: Let Patty know that we appreciate that and we watching her. Mike Cook is our Zoning Inspector. Do you have a report?

ZONING INSPECTOR: Just to let you know, Patty is watching you tonight. (Laughter) For the month of December, we issued 9 permits for a total valuation of \$6,248,230.00. The bulk of that was Star Manufacturing coming in at \$5,895,000. They have a project going in 100,000 sq. ft new line going in. They started with a retention pond and moving forward within 6 to 8 months hopefully, there will be something going up. I gave everybody a sheet from back in

2006, it shows what our zoning reports were since then. This is the biggest year by far. In 2015, it was 10 million. So even without Star we come in at 5.2 million this year. We did have a very good year for everything that is going on. Charlie Masters in Stonebridge has the road paved up there. Lake Wobegon, he's supposed to be coming in next week to Planning to try to get that final approval with Bond. Coming into Council the following week after that to try to sell some lots in that area. Steve Cocca the only thing waiting there is a road and the curb and the retention area in the back. He's on a holding pattern right there. That's all I have.

MR. MORVAY: Great. Thanks Mike. Mr. Calhoun our City Manager.

MR. CALHOUN: Not too much. We're just getting ready for Capital Budget 2022 requests. Department Heads have been issued the Department Request Sheets that we typically do. Those will be turned in at the end of January. Finance Director, Christine and I will meet with the Department Directors and sort of prescreen all the department requests. The plan will be like every other year, in February have budget work sessions with City Council to present the budget for fiscal year 2022: which will be mostly the capital requests that we're working on right now but then again in totality the temporary appropriation that we're passed on December 15th; which covers the first three months, then the capital requests built-in depending on what Council decides on those capital request. Christine kind of finalizes that budget to then pass before the March 31st, State deadline. Those will be forthcoming. Just be on the look out for scheduling from Patty when we want to hold those work sessions in February. Members of Council all should have received a final hard copy of our Comprehensive Plan that MS completed. We also received copies that will be distributed to Planning & Zoning Commission as well as the Design Review Board. If you haven't already read those, the electronic version has been floating around out there. If you're like me, you like to hold things, if you're reading that much material and take it in, in small chunks. Read that and go through it. What we'd like to do and I mentioned it during my year-end memo, so in 2018 when I came onboard, I sat with each member of council and determined a strategic plan or strategic goals of what we wanted to accomplish over the next 3 to 5 years. We're now at 4 years removed from that first strategic plan. So, I'd like update those strategic plan, goals and objectives. Rather than sit with each individual member of council, I think it would behoove all of us to sit and have work sessions for the strategic plan, so everybody can see, especially for our new members and Council Member Nacarato and Mayor Dragish weren't here when we originally did those strategic goals. They've been updated as part of coming onboard but now actively participating. I think we can schedule those work sessions either, again depending on when we do the budget plus council meetings. That's up to Council if we want to wait until after we finalize the budget, capital expenses and hold those strategic work sessions in March, or try to do those before or after the February meetings. Just something to think about. What the strategic plan is supposed to do, the Comprehensive Plan is that 10-year vision of goals of where we want to be in 10 years for the City of Canfield. The Strategic Plan is kind of the microcosm of that. What from that Comprehensive Plan can we plug into the next 3 to 5 years to start moving forward on that path to accomplish those 10-year goals. We started in 2018 kind of raw and fresh and said, here is the things we want to work on. I think we've taken off a big chunk of those goals and objectives. We're about due for a refresh. It's good timing to be

able to align those with the comprehensive plan. That's something happening during the first quarter of the year, the budget, the strategic work sessions and then we'll progress through whatever comes up throughout the year. That's all I have.

Under Questions on Reports:

MR. MORVAY: Council questions for these reports. Hearing none. I'll open it up to residents. Keep your comments brief. You'll have to go to the podium and for the record state your name and address.

MR. MCLAIN: Cory McLain, 369 E. Main Street. Typically, this podium is used for a gripe or negative comment. I commend our city on keeping it clean. John Rapp good job with the leaves. They did magnificent this year getting them off the ground. A personal story, I called the city 3 weeks ago regarding Barnstone water, a clogged drain. Public Works was out in about an hour and they got it fixed. I appreciate it. You're doing a good job.

PUBLIC WORKS SUPERINTENDENT: Thank you.

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. Will that 10-year plan, strategic vision be open to the public?

MR. CALHOLUN: Yes. The strategic work session are public meetings.

KATHRYN YOUNG: Do you have the February Budget Work Sessions dates?

MR. CALHOUN: We don't have that set yet.

KATHRYN YOUNG: Thank you.

Under Persons Desiring to Appear Before Council:

MR. MICCHIA: Good evening, Frank Micchia, 220 Glenview. Happy New Year to all. I would like to talk about council spending. Number 1: Council approves of paying overtime to salaried persons to attend council meetings. Only in Canfield can this happen. Number 2: Police Department employees receive 2 to 5 days paid bonuses to pass a physical fitness test. Keeping oneself able to do a job seems to be a personal responsibility. Why do we need an incentive? This also includes dispatchers. This practice can easily cost over \$25,000 per year. I did not vote for the police levy to pay bonuses for personal responsibility. Council approved this. One test involves male officers running 1.5 miles in 14 minutes presumably in full uniform. I'd like to see this. Who independently verifies this? I bet everyone gets the full 5 days pay. I'm asking to see the actual data. But, let's be fair. There are another 20 or so city employees keeping themselves professionally fit doing a competent job and get no bonuses. Why the discrepancy? Number 3: Council approved a 5-year contract to subsidize school resource officers. School safety is the responsibility of the school. This has cost the Canfield taxpayers about \$400,000

over 5 years. I did not vote for the police levy to subsidize these officers. The contract is up this year. In my opinion, if the city is going to provide officers, the school should pay the full years salary and benefits. Now is the time to begin negotiations. They will have the opportunity to consider alternatives. No more long-term contracts. No more city monies. Number 4: The Red Gate money pit. So far Council has poured about 5 million dollars into it. There is no plan as to how or when the city will recoup any of these monies. Hopes and dreams do not pay the bills. Who would invest their own money in Red Gate? However, there are rumors and inuendoes that there are interested parties. I hope so, but the devil is in the details. The way city monies are being spent makes the federal government look good. Enough is enough.

MR. CALHOUN: Christine, how many State of the Auditor Awards have you won as Finance Director?

FINANCE DIRECTOR: 10, so far.

MR. CALHOUN: Okay.

MR. MORVAY: Don't we have a balanced budget every year?

FINANCE DIRECTOR: We have to.

MR. MORVAY: That's what I thought. Anybody else want to appear before council? Hearing none, we'll move on.

Under **OLD BUSINESS**, there was none.

Under **NEW BUSINESS**:

ITEM A: An Ordinance Authorizing the City Manager to Purchase an International Dump Truck and Dump body through State Purchasing and Declaring said Ordinance an Emergency.

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 readings of the proposed Ordinance and authorize adoption of the same upon its first reading.

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. MORVAY: As per the provision 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. DRAGISH: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. TIECHE: Mr. President, I have an Ordinance Authorizing the City Manager to Purchase an International Dump Truck and Dump Body through State Purchasing and Declaring said Ordinance an Emergency. I move for passage.

MR. NEFF: Second.

MR. MORVAY: Wade, could you brief us on this dump truck please?

MR. CALHOUN: As part of the vehicle replacement schedule that we set up for Public Works beginning in 2018, we're set to replace an international dump truck; which is what you typically see us do salting and snow plowing with. We're set to replace that in fiscal year 2022. We made a budget adjustment on December 15th to the fiscal year 2021 budget to allocate funds to purchase that vehicle. There is one vehicle currently available with the vendor and in order for us to get that in fiscal year 2022, we had to make that budget adjustment to get that committed for the funds available for purchase. Otherwise, we would have had to wait until at least 2023 to order it and most likely got it delivered in 2024; which would have put us two years out of our vehicle replacement schedule for the public works department. This Ordinance now authorizes the purchase of said dump truck. This is being done through the State Purchasing Program, through Cerni Motors. The price of the dump truck itself, which is the dump truck and dump body, it doesn't include the actual bed. The bed, salt spreader and the plow, those will be items that will be put into the fiscal year 2022 budget. The purchase price for this vehicle and equipment \$94,925.43. The reason why we're passing it as an emergency, as I mentioned because of the limited availability of the inventory and then in order for us to purchase it immediately, if the legislation passes is typically ordinances don't become effective until after 30 days after council approves them. This being passes as an emergency allows us to obtain the vehicle given the limited inventory and the limited timeframe that the current quote is valid for.

MR. TIECHE: Wade will you explain to those here about state purchasing?

MR. CALHOUN: The State of Ohio does state cooperative purchasing for virtually anything that any public entity buys. Townships, villages, cities, schools, public libraries, fire departments, they do that statewide for anything. Office supplies, vehicles, police cruisers, desks, you name it and there is probably a state cooperative purchasing contract that has been bid from the state level. Everybody across the state bids on that. That's awarded to specific vendors for that one bid low price. We're able to take advantage of it as being part of the cooperative purchasing program through the State of Ohio. If we have vendors that are also listed in the State

cooperative purchasing as a certified vendor and willing to meet that bid price from whoever the awarded vendor was, we can utilize that. So, Cerni Motors is a certified vendor with the State of Ohio, I don't know who the actual vendor that was awarded the state contract was but if Cerni Motors is willing to honor that state purchasing price, we can buy that truck locally and have it at state price. That goes for police cruisers that we've bought over the last years. Typically, any big purchase we do through the state cooperative purchasing price, just to save ourselves the work of going through bidding it when the State of Ohio has already done that and purchasing power from the State of Ohio get the best value verses us trying to do a smaller bid for vehicles.

MR. TIECHE: Thank you.

MR. MORVAY: Council any other questions? Hearing none. I'll open it up to residents. Hearing none, Mike.

ROLL CALL ON ORDINANCE:

5 Votes-Yes
0 Votes-No
Ordinance passes
Ordinance 2022-01

ITEM B: An Ordinance Authorizing Change Order Number 1 for Rudzik Excavating, Inc. and Declaring said Ordinance an Emergency (Red Gate Sanitary Sewer Project)

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 readings 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 provision 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 Authorizing Change Order Number 1 for Rudzik Excavating, Inc. and Declaring said Ordinance an Emergency. (Red Gate Sanitary Sewer Project). We move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Wade could you brief us on this Ordinance, please?

MR. CALHOUN: As Council Member Neff mentioned Rudzik Excavating was awarded the bid for our Red Gate Sanitary Sewer Extension Project, phase 1 back in May of 2021. This is the upsizing of the sanitary sewer line that runs from the bike trail to Hunter's Woods Condominiums. That project commenced between August and October, where we had the road shut down and they installed an upsized sanitary sewer line. We went through a punch list this past November to address some of the outstanding items, that as we did the final walk-through with our engineers, we identified a couple of items. As the project progressed there was a few unforeseen extra work items that were identified along with overall quantity reductions in what was actually used versus what they bid. In total, there was a quantity reduction of about \$32,000 but then an addition of extra work of \$181,000, the net result on the change order 1; which is the final change order that will close out the project, is for \$149,147.06; which this Ordinance authorizes that change order. The reason it's being declared an emergency is to meet the obligations of the invoice due dates. Again, this is the final invoice to be paid on a total contract amount of about 1.3 million dollars. The biggest item of the \$181,000 change order, so there were two major things, one was about \$20,000. There was where Hometown Produce and Material Science is there is that little creek, when they were opening up the road there, there is an old, old storm drain that was completely failed. So, they had the road open, we had them replace the entire storm drain, as well as backfill and put the appropriate headwalls in. From the beginning of the project from the bike trail heading west until about Industrial Blvd. when they opened the trench to install the sanitary sewer line, typically, our engineers said they do a 7-foot trench to get the sanitary sewer installed because the road was literally falling in as they were digging the trench, they actually had to make a wider trench and then essentially build the road back up with the appropriate backfill and asphalt. So, on the change order you'll see there is the line item of \$146,000 that's the 9-inch asphalt ditch recovery or repair. That's what that is. So, essentially from where they started the project to Industrial Blvd, as they trenched and dug the road was literally falling in on itself. According to some speculations, it was never the appropriate base layer to begin with. Now, we've rectified that, but again that's the result of the change order ended up increasing the project by \$149,000; which doesn't really make a difference but to note that's still less than the next lowest bid from when we awarded it back in May. Whoever was awarded this project would have ran into the same circumstance. Again, Rudzik was a great vendor to work with. They identified issues as they went along the way. They talked with us and the engineers to figure out what would be the best for the city, knowing anything that was changed or done was either going to cost them money or cost us money. Long story short, this Ordinance authorizes this change order which increases the contract by the \$149,147.06.

ATTY. FORTUNATO: Under the law, unforeseen circumstances, such as that certainly merit a change order.

MR. MORVAY: Correct. Council any questions or concerns? There is no way that they could have spotted this or predicted this. Residents questions?

MR. FRANK MICCHIA: Frank Micchia, 220 Glenview. The Red Gate money pit grows deeper and deeper. Thank you.

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. Refresh my memory. Wasn't this extension that we're working on, on 224, wasn't that a grant that was given.

MR. CALHOUN: No.

KATHRYN YOUNG: Okay. So, we had to take out a loan for that?

MR. CALHOUN: Yes, a low interest EPA loan.

KATHRYN YOUNG: At Red Gate we had a 20-year loan for the purchase of the property. Is that coming to an end pretty soon?

FINANCE DIRECTOR: I believe in the next 2 years.

MR. CALHOUN: In 2023 is the final payment.

KATHRYN YOUNG: Like Frank, how does that benefit the citizens. But now that we don't have to pay the loan off because it's already paid off; is this the money that is going to be used for these extensions and things that go into Red Gate? Are we just switching one loan for another one?

MR. MORVAY: Eventually, we'll be reimbursed for this, for running this out there because when they hook up in the development, we'll get reimbursed.

MR. CALHOUN: So, with any connection, the development out west, the Millennial Moments JEDD, that is currently under construction, we have a Millennial Moments JEDD Sanitary Sewer District. Any new user that connects for that JEDD area will pay a certain tap-in fee; which will recoup the cost that we spent to extend the sanitary sewer lines. Eventually, whatever develops at Red Gate, the same principle's apply. Any monies that we spend to get sanitary sewer and water in the same instance, to Red Gate will pay an appropriate tap-in fee.

ATTY. FORTUNATO: It's a sanitary and water sewer district assessment, beyond the tap-in fee.

MR. CALHOUN: To recoup the cost that the city will spend on the loan that we're getting today; which I think is 20 or 30 years and I think it's less than a percent, it's like a ½ a percent loan.

KATHRYN YOUNG: Okay, thank you.

MR. MORVAY: Would anybody else like to address this ordinance? Hearing none, Mike.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes
	Ordinance 2022-02

ITEM C: An Ordinance Authorizing Change Order Number 1 for Lindy Paving, Inc. and to Declare Said Ordinance an Emergency. (2021 Road Resurfacing Project)

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 readings of the proposed Ordinance and authorize adoption of the same upon its first reading.

MR. NACARATO: Second.

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

MR. MORVAY: As per the provision 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. TIECHE: Second.

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

MR. DRAGISH: Mr. President, I have an Ordinance Authorizing Change Order Number 1 for Lindy Paving, Inc. and to Declare said Ordinance an Emergency. (2021 Road Resurfacing Project) I move for passage.

MR. NACARATO: Second.

MR. MORVAY: Just for the record, we do this one reading, two readings, title only, so we don't have to read the entire ordinance. We would be here until about 4:00 in the morning. That's why we do it in this fashion. Wade could you brief us on this please?

MR. CALHOUN: Back in July of 2021 we awarded Lindy Paving our annual street resurfacing contract. They performed the project during the month of August. Again, in end of year closeouts they're sending final invoices. We need to meet those obligations and pay the invoices is why it's being passed as an emergency, so Chris can immediately pay the outstanding invoice. In this case it doesn't matter it's just to close out the project.

FINANCE DIRECTOR: There will be a final invoice that this will net against.

MR. CALHOUN: Okay. So, as a result of reduced quantities that were used in the street resurfacing program this year, this change order reduced the contract amount of Lindy Paving by \$26,114.11. This Ordinance authorizes that change order for Lindy Paving which is a reduction to the original contract amount for the \$26,000.

MR. MORVAY: Thank you. Council questions? Hearing none. Residents? This is a good thing, it's less than what they bid. Hearing none, Mike.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2022-03

ITEM E: A Motion Appointing an Acting Manager.

MR. MORVAY: As per the provision 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. NACARATO: Mr. President, I have a Motion Appointing an Acting Manager. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Wade, can you explain what we're doing with this motion?

MR. CALHOUN: Per section 5.05 which is titled acting manager of our sacred Canfield City Charter, it requires that council designate an individual to serve as an acting manager during the absence or disability of the appointed city manager. Per the charter this motion is made by

Council which sets up the succession of who is named to replace the city manager should those instances occur. The designation of when this actually takes place is done by the city manager. Typically, it's done if I take an annual vacation which puts me out of the city without access to responding, then we make this designation. Hopefully, the only time I'll ever have to do this is, and I don't anticipate being disabled or having any unforeseen circumstances as to why I could not complete my obligations as city manager. Per the Charter this is something we do every single year. This is in effect for the entire year. For 2022 the following progression of employees shall serve as acting city manager during the absence or disability of the manager during that designation are 1) Police Chief 2) Finance Director. Patty did not want to be in the succession. (Laughter)

MR. MORVAY: Council questions? Hearing none. Residents?

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. It wouldn't be a kick-off to the year if I didn't say that I believe that Christine should be number 2 because she is a resident of the City of Canfield. Thank you.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

Motion 2022-02

Under Council Comments:

MR. TIECHE: Welcome aboard Mr. Mayor. Everybody here, Happy New Year!

MR. NEFF: You mentioned the Fire District is thinking of a levy in May. Is that conflict with the school levy?

MR. MORVAY: I don't know.

MR. NEFF: Has it been voted on?

MR. MORVAY: Not yet. There is a special meeting tomorrow. That's probably going to be the outcome. Their levy will be put on in May.

MR. NEFF: I just wanted to say that I think that it's really important that the school pass their levy. I think that they've been told that if both levies go on, neither one will pass. I just hope that we can support the Canfield School system. Welcome aboard, Mayor Dragish.

MR. DRAGISH: Thank you. I said my speech. But it's nice to be back up here again in this role, instead of where you're at. There is a lot less talking on this end. It's good to be back. It's good to be back representing Canfield.

MR. NACARATO: Donny, of course I want to welcome you aboard. I would congratulate you, I think it's a good way for our city to start a new year. I just wanted once again to thank John and the crew for all the work that they did and all the help with Lighting of the Green. Poor John would get calls on Sunday morning from me saying hey, lights are on or lights are off. I appreciate all their help and look for their continued help throughout the years as we make it bigger and better. To the citizens, I just want to wish a blessed new year and a lot of good health and wellness for all.

MR. MORVAY: I would just conclude. Happy New Year! I thank Council for their support and supporting me as President this year. I appreciate that. Mayor, welcome aboard. We got some exciting times in front of us. The point that Bruce brought up about the school, our fire, our police. It's all the city. Ladies and gentlemen, we live in a community that we have very good things. We have the best police. We have the best fire. We have schools. We have got to support them. The fire district has a duty, the board has a duty to protect its residents. You see the numbers escalate on fire and ambulance, especially. We need to do something and we have a responsibility to do something to keep that service where it is. As citizens we also have a responsibility to support our schools. I'm hoping that citizens, residents, will support both the fire and the schools. We got to keep Canfield great. We got to keep Canfield Canfield. Your support is needed in May. Yes, it's going to be a big ticket. Ladies and gentlemen, we need this to keep Canfield Canfield. I appreciate your support. With that, I'll adjourn the meeting. Thank you.