

CANFIELD CITY COUNCIL

December 21, 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.

A: An **Ordinance** Adopting a New Section 1155.24 of the Codified Ordinances of the City of Canfield.

**Description:**

The City now has to accept utilities in a PUD because the EPA requires certification to perform maintenance on water and sanitary sewer lines. This new section lays out the requirements needed to accept the utilities. This Ordinance has been recommended by Planning & Zoning at their November 10<sup>th</sup> meeting and again at their December 8<sup>th</sup> meeting. We had a public hearing regarding this Ordinance earlier this evening at 5:20pm.

**Action Needed:** Consideration of Ordinance.

**Attachment(s):** Ordinance and recommendations from Planning & Zoning.

11. NEW BUSINESS

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

A. An **Ordinance** Authorizing Change Order Number 1 (Final) for Lindy Paving, Inc. (2022 Road Resurfacing Project)

**Description:** Lindy Paving was awarded the bid for the City of Canfield annual street resurfacing in July of 2022.

As a result of reduced quantities needed for some items, there is a need for a change order to the original contract with Lindy Paving, Inc. This Ordinance authorizes Change Order No 1

(final) with Lindy Paving, Inc. for the 2022 Annual Road Resurfacing Project by **reducing** the original contract amount by \$70,194.89.

**Action Needed:**

Ordinance authorizing Change Order No. 1 (final) for Lindy Paving, Inc. for the 2022 Annual Road Resurfacing Project by reducing the original contract amount by \$70,194.89.

**Attachment(s):** Ordinance and Lindy Change Order No. 1 (MS Consultants)

- B. An **Ordinance** Approving an Agreement to Purchase Water from the City of Youngstown and Declaring an Emergency.

**Description:** Refer to Chief and City Attorney for description.

**Action Needed:** Approval of Ordinance.

**Attachment(s):** Ordinance and Agreement with Youngstown.

- C. An **Ordinance** Amending Ordinance 2022-47, Annual Appropriation Ordinance to Make Appropriations for Current Expenses and other Expenditures of the City of Canfield, State of Ohio, During the Fiscal Year Ending December 31, 2022.

**Description:** SEE FINANCE DIRECTOR FOR DESCRIPTION

**Action Needed:** Approval of Ordinance amending Ordinance 2022-47, annual appropriations for current expenses and other expenditures of the City of Canfield for fiscal year ending December 31, 2022.

**Attachment(s):** Ordinance amending Ordinance 2022-47.

- D. An **Ordinance** Providing Transfers to Various Funds.

**Description:** SEE FINANCE DIRECTOR FOR DESCRIPTION

**Action Needed:**

Approval of Ordinance providing transfers to various funds.

**Attachment(s):**

Ordinance providing transfers to various funds.

Cash basis fund summary-(transfers budgeted)

- E. Temporary Appropriation **Ordinance**.

**Description:**

SEE FINANCE DIRECTOR FOR DESCRIPTION

City Council will finalize the fiscal year 2023 budget in March of 2023.

**Action Needed:**

Approval of Ordinance.

**Attachment(s):**

Temporary Appropriation Ordinance.

12. Council Comments.

13. Adjournment

Introduced by: \_\_\_\_\_  
First Reading: \_\_\_\_\_

ORDINANCE

AN ORDINANCE ADOPTING A NEW SECTION 1155.24 OF THE  
CODIFIED ORDINANCES OF THE CITY OF CANFIELD

WHEREAS, the Zoning Inspector and the Planning and Zoning Commission of the City have recommended adopting new section 1155.24.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Canfield, Mahoning County, Ohio as follows:

Section 1. Upon (i) approval of the Final PUD-Plan pursuant to 115.20, (ii) the construction of water and sanitary sewer utilities within the PUD in accordance with 115.22, (iii) receipt of certified as-built drawings of the installed water, sanitary, and storm water infrastructure, (iv) execution of a Post-Construction Best Management Practice Inspection & Maintenance Agreement pursuant to the City Ordinances and Subdivision Regulations, (v) compliance with all requirements of the executed Subdividers Agreement, (vi) a recommendation by the City Engineer, and (vii) Council approval, the City shall own and maintain such utilities within the PUD. Notwithstanding the above, the City shall not be required to accept ownership of or maintenance responsibilities of any water or sanitary pump station.

Section 2: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 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

Introduced By: \_\_\_\_\_  
First Reading: \_\_\_\_\_

ORDINANCE

**AN ORDINANCE AUTHORIZING CHANGE  
ORDER NUMBER 1 (FINAL) FOR LINDY PAVING, INC  
(2022 ROAD RESURFACING PROJECT)**

WHEREAS, the Council of the City of Canfield authorized the City Manager to enter into a contract with Lindy Paving, Inc. (Ordinance # 2022-39) on July 13, 2022 in an amount not to exceed Nine-Hundred Eighty-Three Thousand One-Hundred Thirty-Five and 50/100 (\$983,135.50) based on a public bid; and

WHEREAS, the Engineer recommends a Change Order pursuant to Section II of the Contract; and

WHEREAS, Council desires to authorize Change Order 1 (Final).

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

Section 1: Change Order 1(final) hereby authorizes a deduct to the original contract amount, in an amount of (\$70,194.89) pursuant to the quantity adjustment and additional work performed.

Section 2: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 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

CITY OF CANFIELD  
2022 STREET IMPROVEMENT PROJECT

CHANGE ORDER NO. ONE (1) - Final

DATE: November 14, 2022

Contr. LINDY PAVING  
Address: 1807 SHENANGO ROAD  
NEW GALILEE PA 16141

ITEM NO.	DESCRIPTION	ORIG. QTY.	REVISED QTY.	OVER/ (UNDER)	UNIT COST	TOTAL COST
	OAK TREE DRIVE					
254	PAVEMENT PLANING	6,000	4900.00	(1100.00)	\$2.15	(\$2,365.00)
407	TACK COAT	600	562.00	(38.00)	\$3.75	(\$142.50)
441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1 (448) PG64-22 APP	275	230.22	(44.78)	\$247.25	(\$11,071.88)
202	CURB AND GUTTER REMOVED	75	86.75	11.75	\$48.00	\$564.00
609	COMBINATION CURB AND GUTTER, ODOT TYPE 2	75	86.75	11.75	\$68.10	\$776.68
	PRESERVE BLVD					
254	PAVEMENT PLANING	7,650	6550.00	(1100.00)	\$2.15	(\$2,365.00)
407	TACK COAT	765	600.00	(165.00)	\$3.75	(\$618.75)
441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1 (448) PG64-22 APP	335	299.99	(35.01)	\$247.25	(\$8,656.22)
	WILLOW WAY					
254	PAVEMENT PLANING	2,700	2380.00	(320.00)	\$2.15	(\$688.00)
407	TACK COAT	270	268.00	(2.00)	\$3.75	(\$7.50)
441	ASPHALT CONCRETE SURFACE COURSE, TYPE 1 (448) PG64-22 APP	125	111.89	(13.11)	\$247.25	(\$3,290.90)
	MISCELLANEOUS REPAIRS AS DIRECTED BY ENGINEER					
252	PAVEMENT PLANING	400	20.66	(379.34)	\$76.00	(\$28,829.84)
611	MANHOLE, ADJUSTED TO GRADE	5	0.00	(5.00)	\$1,400.00	(\$7,000.00)
611	CATCH BASIN, ADJUSTED TO GRADE	5	0.00	(5.00)	\$1,200.00	(\$6,000.00)
	CREDIT ASPHALT GRINDINGS TO CITY (NON-PERFORM) 100 TON @ 5.00/TON	0	0.00	0.00	(\$500.00)	(\$500.00)

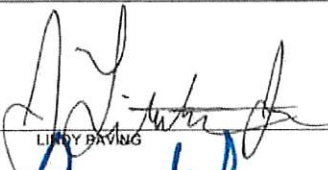
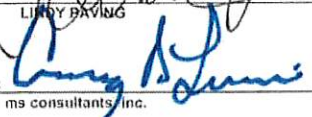
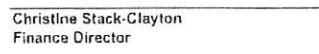
JUSTIFICATION:

FINAL QUANTITY ADJUSTMENT.

TOTAL AMOUNT

(\$70,194.89)

THIS CHANGE ORDER SHALL CONSTITUTE A FINAL SETTLEMENT OF ALL MATTERS RELATING TO THE CHANGE IN THE WORK THAT IS THE SUBJECT OF THE CHANGE ORDER, INCLUDING BUT NOT LIMITED TO, ALL DIRECT, INDIRECT AND CUMULATIVE COSTS ASSOCIATED WITH THE CHANGE AND ANY AND ALL ADJUSTMENTS TO THE CONTRACT PRICE AND THE CONTRACT TIME.

Submitted By:  LINDY PAVING	DATE: 11/14/22	ORIGINAL CONTRACT AMOUNT	\$275,820.00
		PREVIOUS CHANGE AMOUNT	\$0.00
Prepared and Recommended By:  ms consultants inc.	DATE: 12/8/22	THIS CHANGE	(\$70,194.89)
		REVISED CONTRACT AMOUNT	\$205,625.11
		APPROVED BY:  Christine Stack-Clayton Finance Director	DATE: _____

Introduced By: \_\_\_\_\_  
First Reading: \_\_\_\_\_

ORDINANCE

AN ORDINANCE APPROVING AN  
AGREEMENT TO PURCHASE WATER  
FROM THE CITY OF YOUNGSTOWN  
AND DECLARING AN EMERGENCY

WHEREAS, by virtue of previous agreements, the City of Canfield (“Canfield”) has purchased water from the City of Youngstown; and

WHEREAS, the parties now desire to enter into a new Agreement for the purchase of water for a period of thirty (30) years.

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

Section 1: The City Manager is hereby authorized to enter into the Agreement with the City of Youngstown to Supply Water to the City of Canfield”. (Attached hereto).

Section 2: That this Ordinance is hereby declared to be an emergency necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Canfield. Said emergency exists by reason of the fact that the contract takes effect before the thirty days that it takes for this Ordinance to become effective.

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 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

**CITY OF CANFIELD**  
**AGREEMENT TO SUPPLY WATER**

AN AGREEMENT, by and between the City of Youngstown, an Ohio Municipal corporation created and existing under the laws of the State of Ohio (“YOUNGSTOWN”) and, the City of Canfield, Ohio, a municipal corporation created and existing under the laws of the State of Ohio (“CANFIELD”).

WHEREAS, YOUNGSTOWN lawfully maintains and operates a public water supply system for the benefit and use of its residents under various ordinances and agreements; and

WHEREAS, YOUNGSTOWN is presently supplying water to CANFIELD under an agreement with an effective date of January 1, 2018 as approved by CANFIELD ORD 2017-29 and YOUNGSTOWN ORD 17-365 (“2018 Agreement to Supply Water”); and

WHEREAS, the parties desire to continue to supply water one from the other as may be provided herein;

WHEREAS, by virtue of execution of this AGREEMENT, it is the Parties intent to fully and finally terminate the 2018 Agreement to Supply Water, with the terms and conditions of this AGREEMENT superseding and replacing the terms and conditions of the 2018 Agreement to Supply Water;

WHEREAS, the Council for the City of Youngstown has by Ordinance No.\_\_\_\_ passed the \_\_\_\_ day of \_\_\_\_\_, authorized the Board of Control for and on the behalf of YOUNGSTOWN to execute a contract for the sale of water to CANFIELD; and, the Council for the City of Canfield has by Ordinance No.\_\_\_\_ passed the \_\_\_\_ day of \_\_\_\_\_, authorized the purchase of water from YOUNGSTOWN and to execute a contract for same.

NOW, THEREFORE, in consideration of mutual covenants and agreements contained herein, the parties do mutually agree as follows:

**Section 1. Parties**

1. **Parties:** This agreement is between the City of Youngstown (YOUNGSTOWN), an Ohio municipal corporation, located at 26 South Phelps Street, Youngstown, Ohio 44503 and the City of Canfield (CANFIELD), an Ohio municipal corporation, located at 104 Lisbon Street, Canfield, OH 44406.

**Section 2. Term of Agreement**

1. **Term:** The term of this agreement shall be from January 1, 2023 at 12:00 a.m. to December 31, 2053 at 11:59 p.m.

**Section 3. Water Rates and Billing**

1. **Sale of Water:** YOUNGSTOWN desires to sell and CANFIELD desires to purchase surplus bulk water from YOUNGSTOWN in accordance with the following:



2. **Billing:** YOUNGSTOWN will bill CANFIELD on a monthly basis. Canfield shall satisfy all bills within 30 days of receipt. In the event a bill is not satisfied by the due date, the bill and service shall be subject to the City of Youngstown's Water Department standard late payment policy, in effect at the time of the missed/late payment.
3. **Disputed Bill:** In the event of a disputed bill, CANFIELD shall provide notice to YOUNGSTOWN and deposit the billed amount with a mutually agreed upon escrow agent.
4. **Billable Unit Defined:** One billable unit is equal to 100 Cubic Feet.
5. **Amended Term Rates:** CANFIELD shall be billed in accordance with the following rates during the 30-year term subject to the terms of Section 6:

<b>Contract Year</b>	<b>Year</b>	<b>Cost Per Billable Unit</b>	<b>Percentage Increase</b>
<b>Year 1</b>	2018	\$4.21	7.75%
<b>Year 2</b>	2019	\$4.54	7.75%
<b>Year 3</b>	2020	\$4.89	7.75%
<b>Year 4</b>	2021	\$5.27	7.75%
<b>Year 5</b>	2022	\$5.68	7.75%
<b>Year 6</b>	2023	\$5.82	2.50%
<b>Year 7</b>	2024	\$5.97	2.50%
<b>Year 8</b>	2025	\$6.12	2.50%
<b>Year 9</b>	2026	\$6.27	2.50%
<b>Year 10</b>	2027	\$6.43	2.50%
<b>Year 11</b>	2028	\$6.43	0.00%
<b>Year 12</b>	2029	\$6.43	0.00%
<b>Year 13</b>	2030	\$6.43	0.00%
<b>Year 14</b>	2031	\$6.43	0.00%
<b>Year 15</b>	2032	\$6.43	0.00%
<b>Year 16</b>	2033	\$6.43	0.00%
<b>Year 17</b>	2034	\$6.43	0.00%
<b>Year 18</b>	2035	\$6.43	0.00%
<b>Year 19</b>	2036	\$6.43	0.00%
<b>Year 20</b>	2037	\$6.43	0.00%
<b>Year 21</b>	2038	\$6.43	0.00%
<b>Year 22</b>	2039	\$6.43	0.00%
<b>Year 23</b>	2040	\$6.43	0.00%
<b>Year 24</b>	2041	\$6.43	0.00%
<b>Year 25</b>	2042	\$6.43	0.00%
<b>Year 26</b>	2043	\$6.43	0.00%
<b>Year 27</b>	2044	\$6.43	0.00%
<b>Year 28</b>	2045	\$6.43	0.00%
<b>Year 29</b>	2046	\$6.43	0.00%
<b>Year 30</b>	2047	\$6.43	0.00%

6. **Rates from Year 11 - 30:** The parties mutually agree that after the 10<sup>th</sup> year of this Agreement, or any extensions of the Term, if the rate charged by YOUNGSTOWN to its

“inside city users” shall be increased, then the same percentage increase occasioned thereby shall be applied to CANFIELD. Notice of the increase shall be made to CANFIELD within thirty (30) days of the decision to increase rates.

**7. Exclusivity:** The above rates are based upon YOUNGSTOWN supplying CANFIELD at least 90% of its yearly water consumption. CANFIELD shall not purchase more than 10% of its water from any other sources during the term of this agreement without the express written consent of the City of Youngstown Water Commissioner. The City of Youngstown Water Commissioner shall not unreasonable withhold consent especially in times of drought or emergency.

**8. Access to Metering:** CANFIELD shall allow YOUNGSTOWN access to the Automated Metering Infrastructure (AMI) Collection Point located at 400 Hilltop Boulevard or commonly known as the HILLTOP Water Tank. This collection point shall be utilized by YOUNGSTOWN in the administration and operation of their AMI system to provide redundancy of readings.

YOUNGSTOWN shall allow CANFIELD the exclusive right to provide water to the City of Canfield Water Distribution System Serve Area known as “CANFIELD SERVICE AREA.”

#### **Section 4. Infrastructure and Metering**

**1. Point of Delivery:** YOUNGSTOWN agrees to deliver bulk water to CANFIELD at the meter pit located near the intersection of Kirk Road and State Route 11, Station 659+07.

**2. Metering of Water:** YOUNGSTOWN shall be responsible for metering all water at the point of delivery. YOUNGSTOWN shall be responsible for ensuring that the meters remain in good working order. All point of delivery meters shall be property of YOUNGSTOWN.

**3. City of Canfield Water Distribution System:** CANFIELD agrees to construct, provide, and maintain, at its own expense, the City of Canfield Water Distribution System, including all water lines, water feeder mains, hydrants, pumping and other facilities which may be provided or constructed to provide and deliver water from the point of delivery.

**4. Delivery of Water By The City of Canfield Water Distribution System:** Except as provided in Section 4.5, or as otherwise agreed to by the parties in writing, the City of Canfield Water Distribution System shall not be extended beyond the CANFIELD Service Area as depicted on Exhibit A; except that CANFIELD may supply the following addresses currently connected to the CANFIELD SERVICE AREA:

<b>Address Number</b>	<b>Address Street</b>
5192	S. Canfield-Niles Rd.
5193	S. Canfield-Niles Rd.
5165	S. Canfield-Niles Rd.
5110	S. Canfield-Niles Rd.
5721	Shields Rd.

5710	Shields Rd.
5731	Shields Rd.
5711	Shields Rd.
5741	Shields Rd.

**5. Expansion of The City of Canfield Water Distribution System:** The City of Canfield may only extend the City of Canfield Water Distribution System beyond the CANFIELD Service Area with the express written consent of the City of Youngstown Water Commissioner.

**6. Repair, Construction and Maintenance Within CANFIELD:** It is mutually agreed by and between the parties, irrespective of the covenants contained herein, that YOUNGSTOWN shall have no obligation to construct or assume any portion of the cost of any water lines, feeder mains, hydrants or other facilities necessary for the supply of surplus water to CANFIELD from the point of delivery to CANFIELD, or to construct or assume any portion of the cost of moving, relocating or extending the same due to any road widening or any improvement beyond the point or points of delivery.

**7. Construction and Maintenance Standards:** CANFIELD shall be responsible for constructing and maintaining the City of Canfield Water Distribution System in accordance with the standards of the Ohio Environmental Protection Agency (OHEPA) and the United States Environmental Protection Agency (USEPA).

#### **Section 5. Liability and Compliance**

**1. Compliance:** CANFIELD shall be solely responsible for City of Canfield Water Distribution System. CANFIELD shall ensure compliance with all relevant laws and regulations.

**2. Liability.** To the fullest extent permitted by law, YOUNGSTOWN and CANFIELD, in consideration of the mutual covenants hereinabove, hereby release and discharge each other from any and all claims, damages, losses and expenses, including but not limited to court costs, attorney's fees and alternative dispute resolution costs, for any personal injury, for any bodily injury, sickness, disease or death and for any damage to or destruction of any property (including the loss of use resulting therefrom) which (1) are caused in whole or in part by any action or omission, negligent or otherwise, of CANFIELD or YOUNGSTOWN, its employees, agents or elected or appointed officials or CANFIELD'S or YOUNGSTOWN'S subcontractors and their employees, agents or volunteers; or (2) are directly or indirectly arising out of, resulting from, or in connection with performance of this AGREEMENT, including any disputes arising from water service territory disputes or annexation proceedings.

**3. Immunity:** Neither party by virtue of this agreement waives its statutory or Common Law immunity.

#### **Section 6. Water Quality**

**1. Water Quality:** YOUNGSTOWN shall supply CANFIELD with bulk water that is the same quality as the water supplied to Youngstown residents.

## **Section 7. Capacity and Consumption**

1. **Consumption:** CANFIELD agrees further to purchase from and YOUNGSTOWN agrees to provide, upon the terms and conditions and at the water rate charge herein, its daily bulk water service, which will not to exceed 40,000 billable units per month without the express written consent of the City of Youngstown Water Commissioner.
2. **M.V.S.D.:** It is further understood and agreed that the supply of water from YOUNGSTOWN and CANFIELD is dependent upon the Mahoning Valley Sanitary District (M.V.S.D.) and that the average monthly supply of water to be furnished as agreed hereinabove shall so be furnished subject to all reasonable requirements of YOUNGSTOWN being regularly supplied with water from M.V.S.D.
3. **Guaranty of Supply:** In the unlikely event of a supply cut or drought, YOUNGSTOWN agrees that it will supply CANFIELD on the same manner, terms and rations that it supplies water to City of Youngstown citizens.
4. **System Expansion:** YOUNGSTOWN agrees not to expand its system in a fashion that will negatively impact the water pressure in CANFIELD or reduce the supply of water to CANFIELD.

## **Section 8. Annexation**

1. **Annexation:** The parties do mutually agree that if any portion of the area situated outside the corporate limits of CANFIELD shall become annexed to YOUNGSTOWN, then CANFIELD shall immediately release to YOUNGSTOWN, all rights of control and ownership of that part of the piping system and other facilities, whether now existing or herein constructed, which may lie within said annexed territory; specifically excepting however, the twenty-four inch water transmission line from the designated point of delivery at the center line of State Route 11, Station 659+07, to the City of CANFIELD, as shown on detained plans dated December 16, 1986, on file with MS Consultants, inc., which plans YOUNGSTOWN hereby acknowledges receipt and approval of by prior action and which exception from any obligation to release includes all easements, rights, conditions and properties acquired thereunder, but not including in said exception meters which, as aforesaid, shall have been the property of YOUNGSTOWN. This agreement, however, shall remain applicable as to any portion of said City of Canfield Water Distribution System not included within such annexed territory.

## **Section 9. Current Development**

1. **Western Mahoning County:** CANFIELD shall provide to YOUNGSTOWN, free of charge, use of its lines to serve as a pass-through to reach the area which is east of the Millcreek Metroparks Bike Trail and South of the city of Canfield limits, excluding the Mahoning County Fairgrounds. Customers in Western Mahoning County, who receive water as a result of such access, shall be customers of YOUNGSTOWN.
2. **System Expansion:** Should it become necessary to expand the infrastructure within CANFIELD to service Western Mahoning County, YOUNGSTOWN and CANFIELD shall enter into a subsequent agreement addressing the cost and construction. CANFIELD shall not unreasonably obstruct any necessary expansion or construction.

## **Section 10. Termination**

1. **This AGREEMENT** may be terminated by written mutual agreement between the parties.
2. **This AGREEMENT** automatically terminates on December 31, 2053.

## **Section 11. Notices**

1. **Notice:** All notices, requests, demands or other communications provided for herein shall be in writing and shall be deemed to have been served when sent by registered mail or certified mail, return receipt requested, addressed, as follows:

As to YOUNGSTOWN:

Mayor  
City of Youngstown  
City Hall  
26 South Phelps Street  
Youngstown, OH 44503

With a copy to:

Law Director  
City of Youngstown  
City Hall – 4<sup>th</sup> Floor  
26 South Phelps Street  
Youngstown, OH 44503

With a copy to:  
Youngstown Water Commissioner  
City Hall  
26 South Phelps Street  
Youngstown, OH 44503

As to CANFIELD:

City of Canfield, City Manager  
104 Lisbon St.  
Canfield, Ohio 44406

City of Canfield, Law Director  
104 Lisbon St.  
Canfield, OH 44406

## **Section 12. General Terms and Conditions**

1. **Modification:** No officer, official or agent of YOUNGSTOWN or CANFIELD has the power to amend, modify or alter this agreement or waive any of its conditions or to bind the parties by making any promise or representation not contained herein unless, explicitly provided for by the terms of this agreement. All material modifications must be approved by the respective legislative authorities and the respective Boards of Control.
2. **Transferability and Assignment:** This agreement shall not be assigned or transferred by either party.

3. **Modification and Waiver:** Any modification or waiver of this agreement shall be in writing and agreed by the authorized parties. All modifications will be strictly construed.
4. **Ohio Law and Regulation:** This Agreement shall be construed in accordance with and governed by the laws and regulations of the State of Ohio.
5. **Jurisdiction:** All disputes or litigation arising from this agreement shall be brought in the Mahoning County Court of Common Pleas. The parties hereby stipulate that jurisdiction and venue are proper in Mahoning County, Ohio.
6. **Merger Clause:** This contract supersedes and invalidates any and all prior contracts and agreements between the parties regarding the subject matter set forth herein.
7. **Mutual Drafting:** This agreement shall be construed as if it were jointly and mutually drafted by YOUNGSTOWN and CANFIELD. Ambiguities shall be construed equally against each party.
8. **No Joint Venture or Endorsement of Licensee:** The relationship between the parties hereto is solely that of supplier (YOUNGSTOWN) and purchaser (CANFIELD), and nothing herein shall be deemed or construed to create any franchise, joint venture, partnership or any fiduciary relationship other than that of supplier and purchaser. Purchaser shall have no power to obligate or bind Supplier in any manner whatsoever or to make any contract, warranty or representation on behalf of Supplier and shall not represent itself to the third parties as having such power.
9. **Severability:** If any provision of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid or enforceable, then such provision shall be deemed to be written, constructed, and enforced as so limited.
10. **Waiver of Contractual Right:** The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of this Agreement.
11. **Incorporation of Recitals:** The foregoing recitals portion of this AGREEMENT is hereby incorporated by reference as though it were fully rewritten herein.

Approved as to form:

**CITY OF CANFIELD**

\_\_\_\_\_  
Law Director, Canfield

By: \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Date: \_\_\_\_\_

Clerk Attest: \_\_\_\_\_

Approved as to form:

**CITY OF YOUNGSTOWN  
BOARD OF CONTROL OF THE CITY  
OF YOUNGSTOWN**

\_\_\_\_\_  
Law Director, Youngstown

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Law Director

\_\_\_\_\_  
Water Commissioner

\_\_\_\_\_  
Date

Introduced By: \_\_\_\_\_  
First Reading: \_\_\_\_\_

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 2022-47,  
ANNUAL APPROPRIATION ORDINANCE TO MAKE  
APPROPRIATIONS FOR CURRENT EXPENSES AND  
OTHER EXPENDITURES OF THE CITY OF CANFIELD,  
STATE OF OHIO, DURING THE FISCAL YEAR ENDING  
DECEMBER 31, 2022.

WHEREAS, it is necessary to make adjustments, changes and additional appropriations as to the financial needs of the City of Canfield; and

WHEREAS, the Council of the City of Canfield desires to make these adjustments, changes and additional appropriations to meet said financial needs.

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

Section 1: The following adjustments, changes and additional appropriations are hereby made as follows:

	Annual Appropriation	Adjustment	Annual Appropriation
<b>General Fund</b>			
<b>Mayor and Council</b>			
Personal Services	62,360.00	1,000.00	63,360.00
Travel	400.00		400.00
Contractual Services	12,905.00	1,750.00	14,655.00
Supplies and Materials	4,700.00	(1,750.00)	2,950.00
Capital Outlay	1,800.00		1,800.00
Other Uses	0.00		0.00
<b>Total Mayor and Council</b>	<b>82,165.00</b>	<b>1,000.00</b>	<b>83,165.00</b>
<b>City Manager</b>			
Personal Services	221,750.00	(2,600.00)	219,150.00
Travel	500.00	600.00	1,100.00
Contractual Services	19,660.00		19,660.00
Supplies and Materials	6,080.00	2,000.00	8,080.00
Capital Outlay	3,550.00		3,550.00
Other Uses	0.00		0.00
<b>Total City Manager</b>	<b>251,540.00</b>	<b>0.00</b>	<b>251,540.00</b>
<b>Mayor's Court</b>			
Personal Services	42,050.00	1,000.00	43,050.00
Travel	750.00		750.00
Contractual Services	10,650.00		10,650.00
Supplies and Materials	1,300.00		1,300.00



Capital Outlay	1,800.00		1,800.00
Other Uses	0.00		0.00
<b>Total Mayor's Court</b>	<b>56,550.00</b>	<b>1,000.00</b>	<b>57,550.00</b>
<b>Finance Department</b>			
Personal Services	299,950.00		299,950.00
Travel	500.00		500.00
Contractual Services	23,250.00	10,000.00	33,250.00
Supplies and Materials	7,410.00		7,410.00
Capital Outlay	7,100.00		7,100.00
Other Uses	0.00		0.00
<b>Total Finance Department</b>	<b>338,210.00</b>	<b>10,000.00</b>	<b>348,210.00</b>
<b>Income Tax Department</b>			
Personal Services	127,820.00		127,820.00
Travel	500.00	100.00	600.00
Contractual Services	22,425.00		22,425.00
Supplies and Materials	6,080.00	(100.00)	5,980.00
Capital Outlay	3,550.00		3,550.00
Other Uses	75,000.00	90,000.00	165,000.00
<b>Total Income Tax Department</b>	<b>235,375.00</b>	<b>90,000.00</b>	<b>325,375.00</b>
<b>Municipal Building</b>			
Contractual Services	78,060.00		78,060.00
Supplies and Materials	30,465.00		30,465.00
Capital Outlay	0.00		0.00
<b>Total Municipal Building</b>	<b>108,525.00</b>	<b>0.00</b>	<b>108,525.00</b>
<b>Cell Tower Parcel N Broad St</b>			
Contractual Services	260.00		260.00
<b>Total Cell Tower Parcel N Broad St</b>	<b>260.00</b>	<b>0.00</b>	<b>260.00</b>
<b>Armstrong Parcel N Broad St</b>			
Contractual Services	350.00		350.00
<b>Total Armstrong Parcel N Broad St</b>	<b>350.00</b>	<b>0.00</b>	<b>350.00</b>
<b>Civil Service Commission</b>			
Personal Services	730.00	500.00	1,230.00
Travel	0.00		0.00
Contractual Services	1,060.00	2,200.00	3,260.00
Supplies and Materials	525.00	(500.00)	25.00
Capital Outlay	0.00		0.00
Other Uses	60.00		60.00
<b>Total Civil Service Commission</b>	<b>2,375.00</b>	<b>2,200.00</b>	<b>4,575.00</b>
<b>Charter Review Commission</b>			
Travel	0.00		0.00
Contractual Services	0.00		0.00
Supplies and Materials	0.00		0.00
<b>Total Charter Review Commission</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>County Auditor and Treasurer Fees</b>			

Contractual Services	2,510.00	1,000.00	3,510.00
<b>Total County Auditor and Treasurer Fees</b>	<b>2,510.00</b>	<b>1,000.00</b>	<b>3,510.00</b>
<b>State Examiners Fees</b>			
Contractual Services	28,050.00		28,050.00
<b>Total State Examiners Fees</b>	<b>28,050.00</b>	<b>0.00</b>	<b>28,050.00</b>
<b>Municipal Attorney</b>			
Personal Services	62,750.00		62,750.00
Travel	0.00		0.00
Contractual Services	25,110.00		25,110.00
Supplies and Materials	0.00		0.00
<b>Total Municipal Attorney</b>	<b>87,860.00</b>	<b>0.00</b>	<b>87,860.00</b>
<b>General Services</b>			
Travel	0.00		0.00
Contractual Services	77,900.00	120,000.00	197,900.00
Supplies and Materials	8,450.00		8,450.00
Capital Outlay	7,000.00		7,000.00
<b>Total General Services</b>	<b>93,350.00</b>	<b>120,000.00</b>	<b>213,350.00</b>
<b>Cardinal Joint Fire District Reimbursement</b>			
Travel	0.00		0.00
Contractual Services	16,600.00	(5,500.00)	11,100.00
Supplies and Materials	40,600.00	9,500.00	50,100.00
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
<b>Total Cardinal Joint Fire District Reimbursement</b>	<b>57,200.00</b>	<b>4,000.00</b>	<b>61,200.00</b>
<b>IT Department</b>			
Personal Services	278,325.00	(20,000.00)	258,325.00
Travel	0.00		0.00
Contractual Services	18,550.00	20,000.00	38,550.00
Supplies and Materials	14,999.00		14,999.00
Capital Outlay	7,100.00		7,100.00
Other Uses	0.00		0.00
<b>Total IT Department</b>	<b>318,974.00</b>	<b>0.00</b>	<b>318,974.00</b>
<b>Street Lights</b>			
Contractual Services	42,600.00		42,600.00
<b>Total Street Lights</b>	<b>42,600.00</b>	<b>0.00</b>	<b>42,600.00</b>
<b>Police Department</b>			
Personal Services	2,561,480.00	20,000.00	2,581,480.00
Travel	6,000.00	1,200.00	7,200.00
Contractual Services	332,960.00	24,300.00	357,260.00
Supplies and Materials	240,800.00	20,000.00	260,800.00
Capital Outlay	54,456.00	17,100.00	71,556.00
Debt Service	162,200.00		162,200.00
Other Uses	0.00		0.00

<b>Total Police Department</b>	<b>3,357,896.00</b>	<b>82,600.00</b>	<b>3,440,496.00</b>
<b>Payment to County Health Program</b>			
Contractual Services	66,575.00	200.00	66,775.00
<b>Total Payment to County Health Program</b>	<b>66,575.00</b>	<b>200.00</b>	<b>66,775.00</b>
<b>Planning and Zoning</b>			
Personal Services	103,675.00		103,675.00
Travel	25.00		25.00
Contractual Services	12,235.00		12,235.00
Supplies and Materials	5,150.00		5,150.00
Capital Outlay	1,800.00		1,800.00
Other Uses	100.00		100.00
<b>Total Planning and Zoning</b>	<b>122,985.00</b>	<b>0.00</b>	<b>122,985.00</b>
<b>Other Uses/Transfers</b>			
Other Uses	0.00		0.00
Advances	0.00		0.00
Transfers	103,758.00	10,000.00	113,758.00
<b>Total Other Uses/Transfers</b>	<b>103,758.00</b>	<b>10,000.00</b>	<b>113,758.00</b>
<b><i>Grand Total General Fund</i></b>	<b>5,357,108.00</b>	<b>322,000.00</b>	<b>5,679,108.00</b>
<b>Self Insurance Fund</b>			
Personal Services	0.00		0.00
Travel	0.00		0.00
Contractual Services	2,000.00		2,000.00
Supplies and Materials	2,200.00		2,200.00
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
<b>Total Self Insurance Fund</b>	<b>4,200.00</b>	<b>0.00</b>	<b>4,200.00</b>
<b>Unclaimed Monies Fund</b>			
Other Uses	0.00		0.00
Transfers	1,268.54		1,268.54
<b>Total Unclaimed Monies Fund</b>	<b>1,268.54</b>	<b>0.00</b>	<b>1,268.54</b>
<b><i>Grand Total General Fund with Self Insurance Fund</i></b>	<b>5,362,576.54</b>	<b>322,000.00</b>	<b>5,684,576.54</b>
<b><i>Special Revenue Funds</i></b>			
<b>Parks Fund</b>			
<b>Village Green</b>			
Personal Services	2,225.00		2,225.00
Travel	0.00		0.00
Contractual Services	7,190.00		7,190.00
Supplies and Materials	4,175.00	500.00	4,675.00
Capital Outlay	0.00	10,100.00	10,100.00

Transfers	0.00		0.00
Total Village Green	13,590.00	10,600.00	24,190.00
Village Green (Parks Board)			
Travel	0.00		0.00
Contractual Services	10,010.00	525.00	10,535.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
Total Village Green (Parks Board)	10,010.00	525.00	10,535.00
Greasel Park			
Personal Services	9,975.00		9,975.00
Travel	0.00		0.00
Contractual Services	4,325.00	600.00	4,925.00
Supplies and Materials	2,350.00	2,400.00	4,750.00
Capital Outlay	0.00		0.00
Other Uses	200.00		200.00
Total Greasel Park	16,850.00	3,000.00	19,850.00
Greasel Park (Parks Board)			
Travel	0.00		0.00
Contractual Services	10.00	700.00	710.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
Total Greasel Park (Parks Board)	10.00	700.00	710.00
Greasel Park (Playground Equipment)			
Contractual Services	0.00		0.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
Total Greasel Park (Playground Equipment)	0.00	0.00	0.00
Fair Park			
Personal Services	9,750.00	1,875.00	11,625.00
Travel	0.00	25.00	25.00
Contractual Services	16,130.00	2,575.00	18,705.00
Supplies and Materials	10,450.00	(3,475.00)	6,975.00
Capital Outlay	0.00		0.00
Other Uses	2,500.00	(1,000.00)	1,500.00
Total Fair Park	38,830.00	0.00	38,830.00
Fair Park (Parks Board)			
Travel	0.00		0.00
Contractual Services	10.00		10.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
Total Fair Park (Parks Board)	10.00	0.00	10.00
Transfers			
Transfers	0.00		0.00
Total Transfers	0.00	0.00	0.00

Grand Total Parks Fund	79,300.00	14,825.00	94,125.00
Parks and Village Green Trust Fund			
Village Green			
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
Total Village Green	0.00	0.00	0.00
Greasel Park			
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
Total Greasel Park	0.00	0.00	0.00
Fair Park			
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
Total Fair Park	0.00	0.00	0.00
Grand Total Parks and Village Green Trust Fund	0.00	0.00	0.00
Fair Park Trust Fund			
Transfers	0.00		0.00
Total Fair Park Trust Fund	0.00	0.00	0.00
Recreation Fund			
Events on the Green			
Travel	0.00		0.00
Contractual Services	5,675.00	225.00	5,900.00
Supplies and Materials	4,325.00	50.00	4,375.00
Total Events on the Green	10,000.00	275.00	10,275.00
Memorial Day			
Contractual Services	1,000.00	(90.00)	910.00
Total Memorial Day	1,000.00	(90.00)	910.00
Fourth of July Activities			
Contractual Services	7,510.00		7,510.00
Total Fourth of July Activities	7,510.00	0.00	7,510.00
Grand Total Recreation Fund	18,510.00	185.00	18,695.00
Cemeteries Fund			
Cemeteries Operating			
Personal Services	30,325.00		30,325.00
Travel	0.00		0.00
Contractual Services	8,335.00		8,335.00
Supplies and Materials	8,575.00	1,500.00	10,075.00
Capital Outlay	0.00		0.00

Other Uses	0.00		0.00
Transfers	0.00		0.00
<b>Total Cemeteries Operating</b>	<b>47,235.00</b>	<b>1,500.00</b>	<b>48,735.00</b>
<b>Cemeteries (Parks Board)</b>			
Travel	0.00		0.00
Contractual Services	10.00		10.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
<b>Total Cemeteries (Parks Board)</b>	<b>10.00</b>	<b>0.00</b>	<b>10.00</b>
<b>Grand Total Cemeteries Fund</b>	<b>47,245.00</b>	<b>1,500.00</b>	<b>48,745.00</b>
<b>Street C M &amp; R Fund</b>			
<b>Street C M &amp; R Operating</b>			
Personal Services	460,200.00		460,200.00
Travel	250.00		250.00
Contractual Services	192,820.00		192,820.00
Supplies and Materials	194,275.00		194,275.00
Capital Outlay	569,588.00		569,588.00
Debt Service	23,500.00		23,500.00
<b>Total Street C M &amp; R Operating</b>	<b>1,440,633.00</b>	<b>0.00</b>	<b>1,440,633.00</b>
<b>Street C M &amp; R (Parks Board)</b>			
Travel	0.00		0.00
Contractual Services	10.00		10.00
Supplies and Materials	0.00	60.00	60.00
Capital Outlay	0.00		0.00
<b>Total Street C M &amp; R (Parks Board)</b>	<b>10.00</b>	<b>60.00</b>	<b>70.00</b>
<b>Other Uses/Transfers</b>			
Advances	0.00		0.00
Transfers	0.00		0.00
<b>Total Other Uses/Transfers</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Grand Total Street C M &amp; R Fund</b>	<b>1,440,643.00</b>	<b>60.00</b>	<b>1,440,703.00</b>
<b>State Highway Fund</b>			
Travel	0.00		0.00
Contractual Services	22,050.00		22,050.00
Supplies and Materials	28,850.00		28,850.00
Capital Outlay	0.00		0.00
<b>Total State Highway Fund</b>	<b>50,900.00</b>	<b>0.00</b>	<b>50,900.00</b>
<b>Street Lighting Special Assessment Fund</b>			
<b>Street Lighting Miscellaneous</b>			
Contractual Services	0.00		0.00
Transfers	0.00		0.00
<b>Total Street Lighting Miscellaneous</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>



<b>Street Lights-Stonebridge 5</b>			
Contractual Services	1,420.00		1,420.00
<b>Total Street Lights-Stonebridge 5</b>	<b>1,420.00</b>	<b>0.00</b>	<b>1,420.00</b>
<b>Street Lights-Laurel Hills 2</b>			
Contractual Services	1,220.00		1,220.00
<b>Total Street Lights-Laurel Hills 2</b>	<b>1,220.00</b>	<b>0.00</b>	<b>1,220.00</b>
<b>Street Lights-Willow Bend Ph 2</b>			
Contractual Services	720.00		720.00
<b>Total Street Lights-Willow Bend Ph 2</b>	<b>720.00</b>	<b>0.00</b>	<b>720.00</b>
<b>Street Lights-Preserve-Plat 8-Mallard Crossing</b>			
Contractual Services	1,530.00		1,530.00
<b>Total Street Lights-Preserve-Plat 8-Mallard Crossing</b>	<b>1,530.00</b>	<b>0.00</b>	<b>1,530.00</b>
<b>Street Lights-Preserve-Plat 9-Woodland Run/Oakview Crossing</b>			
Contractual Services	1,420.00		1,420.00
<b>Total Street Lights-Preserve-Plat 9-Woodland Run/Oakview Crossing</b>	<b>1,420.00</b>	<b>0.00</b>	<b>1,420.00</b>
<b>Street Lights-Stonebridge Plat 7-Alabaster/Charleston</b>			
Contractual Services	1,420.00		1,420.00
<b>Total Street Lights-Stonebridge Plat 7-Alabaster/Charleston</b>	<b>1,420.00</b>	<b>0.00</b>	<b>1,420.00</b>
<b>Street Lights-Stonebridge Plat 6-Lake Wobegon/Timber Run</b>			
Contractual Services	1,420.00		1,420.00
<b>Total Street Lights-Stonebridge Plat 6-Lake Wobegon/Timber Run</b>	<b>1,420.00</b>	<b>0.00</b>	<b>1,420.00</b>
<b>Street Lights-Kings Lake Subdivision</b>			
Contractual Services	4,670.00		4,670.00
Debt Service	0.00		0.00
<b>Total Street Lights-Kings Lake Subdivision</b>	<b>4,670.00</b>	<b>0.00</b>	<b>4,670.00</b>
<b>Grand Total Street Lighting Special Assessment Fund</b>	<b>40,374.00</b>	<b>0.00</b>	<b>40,374.00</b>
<b>Red Gate Operating Fund</b>			
Personal Services	0.00		0.00
Travel	0.00		0.00
Contractual Services	28,510.00		28,510.00
Supplies and Materials	2,575.00		2,575.00
Capital Outlay	0.00		0.00
Debt Service	0.00		0.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
<b>Total Red Gate Operating Fund</b>	<b>31,085.00</b>	<b>0.00</b>	<b>31,085.00</b>



<b>Police Department Operating Levy Fund</b>			
Personal Services	585,575.00	8,500.00	594,075.00
Travel	0.00		0.00
Contractual Services	32,800.00		32,800.00
Supplies and Materials	165,748.00	(8,500.00)	157,248.00
Capital Outlay	80,000.00		80,000.00
Debt Service	32,850.00		32,850.00
Other Uses	0.00		0.00
<b>Total Police Department Operating Levy Fund</b>	<b>896,973.00</b>	<b>0.00</b>	<b>896,973.00</b>
<b>Coronavirus Relief Fund</b>			
Personal Services	0.00		0.00
Contractual Services	(11,320.00)		(11,320.00)
Supplies and Materials	4,247.50		4,247.50
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
<b>Total Coronavirus Relief Fund</b>	<b>(7,072.50)</b>	<b>0.00</b>	<b>(7,072.50)</b>
<b>American Rescue Plan Fund</b>			
Personal Services	0.00		0.00
Contractual Services	0.00		0.00
Supplies and Materials	200,000.00		200,000.00
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
<b>Total American Rescue Plan Fund</b>	<b>200,000.00</b>	<b>0.00</b>	<b>200,000.00</b>
<b>Law Enforcement Trust Fund</b>			
Travel	0.00		0.00
Contractual Services	0.00		0.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
<b>Total Law Enforcement Trust Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Mandatory Drug Fine Fund</b>			
Travel	0.00		0.00
Contractual Services	0.00		0.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
<b>Total Mandatory Drug Fine Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Education Enforcement Trust Fund</b>			
Travel	0.00		0.00
Contractual Services	0.00		0.00
Supplies and Materials	0.00		0.00
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
<b>Total Education Enforcement Trust Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

<b>DEA Federal Forfeiture Fund</b>			
Travel	0.00		0.00
Contractual Services	2,000.00	3,250.00	5,250.00
Supplies and Materials	2,000.00	8,900.00	10,900.00
Capital Outlay	0.00		0.00
Other Uses	0.00		0.00
<b>Total DEA Federal Forfeiture Fund</b>	<b>4,000.00</b>	<b>12,150.00</b>	<b>16,150.00</b>
<b>COPS School Violence Prevention Fund</b>			
Personal Services	0.00		0.00
Travel	0.00		0.00
Contractual Services	0.00	36,270.00	36,270.00
Supplies and Materials	100,666.00	(36,270.00)	64,396.00
Capital Outlay	0.00		0.00
<b>Total COPS School Violence Prevention Fund</b>	<b>100,666.00</b>	<b>0.00</b>	<b>100,666.00</b>
<b>OVI Task Force Grant Fund FY2022</b>			
Personal Services	48,725.84		48,725.84
Travel	0.00		0.00
Contractual Services	5,285.80		5,285.80
Supplies and Materials	1,742.41		1,742.41
Capital Outlay	0.00		0.00
<b>Total OVI Task Force Grant Fund FY2022</b>	<b>55,754.05</b>	<b>0.00</b>	<b>55,754.05</b>
<b>COPS School Violence Prevention Fund (15JCOPS-21-GG-03669-SSIK)</b>			
Personal Services	0.00		0.00
Travel	0.00		0.00
Contractual Services	29,700.00	18,250.00	47,950.00
Supplies and Materials	297,413.00	9,656.50	307,069.50
Capital Outlay	0.00		0.00
<b>Total COPS School Violence Prevention Fund</b>	<b>327,113.00</b>	<b>27,906.50</b>	<b>355,019.50</b>
<b>OVI Task Force Grant Fund FY2023</b>			
Personal Services	66,102.32		66,102.32
Travel	0.00		0.00
Contractual Services	155,535.31		155,535.31
Supplies and Materials	3,362.37		3,362.37
Capital Outlay	0.00		0.00
<b>Total OVI Task Force Grant Fund FY2023</b>	<b>225,000.00</b>	<b>0.00</b>	<b>225,000.00</b>
<b>Grand Total Special Revenue Funds</b>	<b>3,510,490.55</b>	<b>56,626.50</b>	<b>3,567,117.05</b>
<b>Debt Service Funds</b>			
<b>Red Gate Debt Retirement Fund</b>			
Debt Service-Principal	77,300.00	400.00	77,700.00
Debt Service-Interest	3,650.00		3,650.00
<b>Total Red Gate Debt Retirement Fund</b>	<b>80,950.00</b>	<b>400.00</b>	<b>81,350.00</b>

<i><b>Total Debt Service Funds</b></i>	<b>80,950.00</b>	<b>400.00</b>	<b>81,350.00</b>
<i><b>Capital Projects Funds</b></i>			
<b>General Capital Improvement Fund</b>			
Capital Outlay	0.00		0.00
Transfers	0.00		0.00
<b>Total General Capital Improvement Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<i><b>Total Capital Projects Funds</b></i>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<i><b>Permanent Funds</b></i>			
<b>Cemetery Perpetual Care Fund</b>			
Contractual Services	0.00		0.00
Transfers	0.00		0.00
<b>Total Cemetery Perpetual Care Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<i><b>Total Permanent Funds</b></i>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<i><b>Proprietary Funds</b></i>			
<i><b>Water Enterprise Funds</b></i>			
<b>Water Operating Fund</b>			
Personal Services	280,850.00	(45,200.00)	235,650.00
Travel	500.00		500.00
Contractual Services	1,535,150.00	15,000.00	1,550,150.00
Supplies and Materials	112,385.00	(30,000.00)	82,385.00
Capital Outlay	25,260.00	60,200.00	85,460.00
Debt Service	0.00		0.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
<b>Total Water Operating Fund</b>	<b>1,954,145.00</b>	<b>0.00</b>	<b>1,954,145.00</b>
<b>Waterline Improvements Fund</b>			
Contractual Services	0.00		0.00
Capital Outlay	397,800.00		397,800.00
Debt Service	14,100.00		14,100.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
<b>Total Waterline Improvements Fund</b>	<b>411,900.00</b>	<b>0.00</b>	<b>411,900.00</b>
<b>Bradford Dr and Herbert Rd (12" Line) Waterline Replacement Fund</b>			
Contractual Services	0.00		0.00
Capital Outlay	492,360.00		492,360.00
Debt Service	0.00		0.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
<b>Total Bradford Dr and Herbert Rd (12"</b>	<b>492,360.00</b>	<b>0.00</b>	<b>492,360.00</b>

Line) Waterline Replacement Fund			
Total Water Enterprise Funds	2,858,405.00	0.00	2,858,405.00
Sanitary Sewer Enterprise Funds			
Sanitary Sewer Operating Fund			
Personal Services	302,200.00	5,000.00	307,200.00
Travel	250.00		250.00
Contractual Services	1,224,375.00	(32,600.00)	1,191,775.00
Supplies and Materials	23,920.00	9,500.00	33,420.00
Capital Outlay	25,260.00	16,600.00	41,860.00
Other Uses	8,500.00	1,500.00	10,000.00
Transfers	0.00		0.00
Total Sanitary Sewer Operating Fund	1,584,505.00	0.00	1,584,505.00
Sanitary Sewer System Debt Retirement Fund			
Debt Service	23,155.00		23,155.00
Other Uses	0.00		0.00
Total Sanitary Sewer System Debt Retirement Fund	23,155.00	0.00	23,155.00
Sanitary Sewer System Improvements Fund			
Contractual Services	0.00		0.00
Capital Outlay	0.00		0.00
Debt Service	39,400.00		39,400.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
Total Sanitary Sewer System Improvements Fund	39,400.00	0.00	39,400.00
Red Gate Sanitary Sewer Extension Fund			
Capital Outlay	0.00	1,064.00	1,064.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
Total Red Gate Sanitary Sewer Extension Fund	0.00	1,064.00	1,064.00
Total Sanitary Sewer Enterprise Funds	1,647,060.00	1,064.00	1,648,124.00
Storm Water Enterprise Funds			
Storm Water Operating Fund			
Personal Services	197,350.00		197,350.00
Travel	100.00		100.00
Contractual Services	188,675.00		188,675.00
Supplies and Materials	76,030.00	(50.00)	75,980.00
Capital Outlay	342,208.00		342,208.00
Debt Service	7,200.00		7,200.00

Other Uses	0.00	50.00	50.00
Transfers	0.00		0.00
<b>Total Storm Water Operating Fund</b>	<b>811,563.00</b>	<b>0.00</b>	<b>811,563.00</b>
<b>Sawmill Creek Improvement Fund</b>			
Capital Outlay	893,800.00		893,800.00
Other Uses	0.00		0.00
Transfers	0.00		0.00
<b>Total Sawmill Creek Improvement Fund</b>	<b>893,800.00</b>	<b>0.00</b>	<b>893,800.00</b>
<b>Total Storm Water Enterprise Funds</b>	<b>1,705,363.00</b>	<b>0.00</b>	<b>1,705,363.00</b>
<b>Internal Service Funds</b>			
<b>Health Care Self Insurance Fund</b>			
Contractual Services	828,000.00	462,455.61	1,290,455.61
<b>Total Health Care Self Insurance Fund</b>	<b>828,000.00</b>	<b>462,455.61</b>	<b>1,290,455.61</b>
<b>Total Internal Service Funds</b>	<b>828,000.00</b>	<b>462,455.61</b>	<b>1,290,455.61</b>
<b>Grand Total Proprietary Funds</b>	<b>7,038,828.00</b>	<b>463,519.61</b>	<b>7,502,347.61</b>
<b>Private Purpose Trust Funds</b>			
<b>Cemetery Endowment Fund</b>			
Contractual Services	0.00		0.00
Transfers	0.00		0.00
<b>Total Cemetery Endowments Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Total Private Purpose Trust Funds</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>Grand Totals All Funds</b>	<b>15,992,845.09</b>	<b>842,546.11</b>	<b>16,835,391.20</b>

Section 2: And the Finance Director is hereby authorized to draw warrants for payments from any of the foregoing appropriations to make expenditures for items of expense constituting a legal obligation against the City.

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2022.

\_\_\_\_\_

PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, 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

Introduced By: \_\_\_\_\_  
First Reading: \_\_\_\_\_

ORDINANCE

AN ORDINANCE PROVIDING TRANSFERS TO VARIOUS FUNDS.

WHEREAS, it is necessary to transfer funds to various funds.

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

Section 1: The Finance Director is hereby authorized to transfer the following  
funds:

<b>From:</b>	<b>To:</b>	
General Fund	Parks Fund	10,000.00

<b>Total</b>	<u><u>10,000.00</u></u>
--------------	-------------------------

Section 2: That this Ordinance and all deliberations relating to the passage of  
this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the  
Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2022.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, 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

Introduced By: \_\_\_\_\_  
First Reading: \_\_\_\_\_

ORDINANCE

TEMPORARY APPROPRIATION ORDINANCE

WHEREAS, the Council of the City of Canfield desires an Ordinance to make temporary appropriations for current expenses and other expenditures of the City of Canfield, State of Ohio.

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

Section 1: To provide for the current expenses and other expenditures of the said City of Canfield during January, February and March of 2023; the following sums be and they are hereby set aside and appropriated as follows until a final appropriation ordinance for 2023 is adopted, viz:

*General Fund*

<b>Mayor and Council</b>	
Personal Services	65,610.00
Travel	250.00
Contractual Services	15,055.00
Supplies and Materials	3,425.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total Mayor and Council</b>	<b>84,340.00</b>
<b>City Manager</b>	
Personal Services	136,400.00
Travel	500.00
Contractual Services	17,050.00
Supplies and Materials	2,725.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total City Manager</b>	<b>156,675.00</b>
<b>Mayor's Court</b>	
Personal Services	44,150.00
Travel	750.00
Contractual Services	13,050.00
Supplies and Materials	875.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total Mayor's Court</b>	<b>58,825.00</b>
<b>Finance Department</b>	
Personal Services	284,900.00
Travel	500.00
Contractual Services	23,900.00



Supplies and Materials	3,400.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total Finance Department</b>	<b>312,700.00</b>
<b>Income Tax Department</b>	
Personal Services	132,895.00
Travel	750.00
Contractual Services	22,725.00
Supplies and Materials	3,150.00
Capital Outlay	0.00
Other Uses	75,000.00
<b>Total Income Tax Department</b>	<b>234,520.00</b>
<b>Municipal Building</b>	
Contractual Services	58,510.00
Supplies and Materials	17,250.00
Capital Outlay	0.00
<b>Total Municipal Building</b>	<b>75,760.00</b>
<b>Cell Tower Parcel N Broad St</b>	
Contractual Services	260.00
<b>Total Cell Tower Parcel N Broad St</b>	<b>260.00</b>
<b>Armstrong Parcel N Broad St</b>	
Contractual Services	350.00
<b>Total Armstrong Parcel N Broad St</b>	<b>350.00</b>
<b>Civil Service Commission</b>	
Personal Services	730.00
Travel	0.00
Contractual Services	1,060.00
Supplies and Materials	525.00
Capital Outlay	0.00
Other Uses	60.00
<b>Total Civil Service Commission</b>	<b>2,375.00</b>
<b>Charter Review Commission</b>	
Travel	0.00
Contractual Services	100.00
Supplies and Materials	0.00
<b>Total Charter Review Commission</b>	<b>100.00</b>
<b>County Auditor and Treasurer Fees</b>	
Contractual Services	3,010.00
<b>Total County Auditor and Treasurer Fees</b>	<b>3,010.00</b>
<b>State Examiners Fees</b>	
Contractual Services	35,050.00
<b>Total State Examiners Fees</b>	<b>35,050.00</b>
<b>Municipal Attorney</b>	

Personal Services	62,650.00
Travel	0.00
Contractual Services	25,110.00
Supplies and Materials	0.00
<b>Total Municipal Attorney</b>	<b>87,760.00</b>
<b>General Services</b>	
Travel	0.00
Contractual Services	138,150.00
Supplies and Materials	3,450.00
Capital Outlay	0.00
<b>Total General Services</b>	<b>141,600.00</b>
<b>Cardinal Joint Fire District Reimbursement</b>	
Travel	0.00
Contractual Services	13,100.00
Supplies and Materials	37,000.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total Cardinal Joint Fire District Reimbursement</b>	<b>50,100.00</b>
<b>IT Department</b>	
Personal Services	185,250.00
Travel	0.00
Contractual Services	19,050.00
Supplies and Materials	3,000.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total IT Department</b>	<b>207,300.00</b>
<b>Street Lights</b>	
Contractual Services	42,600.00
<b>Total Street Lights</b>	<b>42,600.00</b>
<b>Police Department</b>	
Personal Services	2,659,475.00
Travel	8,000.00
Contractual Services	286,260.00
Supplies and Materials	151,500.00
Capital Outlay	0.00
Debt Service	127,100.00
Other Uses	0.00
<b>Total Police Department</b>	<b>3,232,335.00</b>
<b>Payment to County Health Program</b>	
Contractual Services	68,075.00
<b>Total Payment to County Health Program</b>	<b>68,075.00</b>
<b>Planning and Zoning</b>	
Personal Services	105,825.00
Travel	25.00
Contractual Services	12,235.00

Supplies and Materials	4,525.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total Planning and Zoning</b>	<b>122,610.00</b>
<b>Other Uses/Transfers</b>	
Other Uses	0.00
Advances	0.00
Transfers	67,365.70
<b>Total Other Uses/Transfers</b>	<b>67,365.70</b>

*Grand Total General Fund* **4,983,710.70**

<b>Self Insurance Fund</b>	
Personal Services	0.00
Travel	0.00
Contractual Services	2,000.00
Supplies and Materials	2,200.00
Capital Outlay	0.00
Other Uses	0.00
Transfers	0.00
<b>Total Self Insurance Fund</b>	<b>4,200.00</b>

<b>Unclaimed Monies Fund</b>	
Other Uses	0.00
Transfers	0.00
<b>Total Unclaimed Monies Fund</b>	<b>0.00</b>

*Grand Total General Fund with Self Insurance Fund* **4,987,910.70**

*Special Revenue Funds*

<b>Parks Fund</b>	
<b>Village Green</b>	
Personal Services	2,225.00
Travel	0.00
Contractual Services	7,490.00
Supplies and Materials	3,350.00
Capital Outlay	0.00
Transfers	0.00
<b>Total Village Green</b>	<b>13,065.00</b>
<b>Village Green (Parks Board)</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total Village Green (Parks Board)</b>	<b>0.00</b>
<b>Greasel Park</b>	
Personal Services	11,150.00
Travel	0.00

Contractual Services	4,900.00
Supplies and Materials	4,775.00
Capital Outlay	0.00
Other Uses	200.00
<b>Total Greasel Park</b>	<b>21,025.00</b>
<b>Greasel Park (Parks Board)</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total Greasel Park (Parks Board)</b>	<b>0.00</b>
<b>Greasel Park (Playground Equipment)</b>	
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total Greasel Park (Playground Equipment)</b>	<b>0.00</b>
<b>Fair Park</b>	
Personal Services	10,900.00
Travel	0.00
Contractual Services	18,230.00
Supplies and Materials	8,950.00
Capital Outlay	0.00
Other Uses	1,500.00
<b>Total Fair Park</b>	<b>39,580.00</b>
<b>Fair Park (Parks Board)</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total Fair Park (Parks Board)</b>	<b>0.00</b>
<b>Transfers</b>	
Transfers	0.00
<b>Total Transfers</b>	<b>0.00</b>
<b>Grand Total Parks Fund</b>	<b>73,670.00</b>
<b>Parks and Village Green Trust Fund</b>	
<b>Village Green</b>	
Capital Outlay	0.00
Other Uses	0.00
<b>Total Village Green</b>	<b>0.00</b>
<b>Greasel Park</b>	
Capital Outlay	0.00
Other Uses	0.00
<b>Total Greasel Park</b>	<b>0.00</b>

<b>Fair Park</b>	
Capital Outlay	0.00
Other Uses	0.00
<b>Total Fair Park</b>	<b>0.00</b>
<b>Grand Total Parks and Village Green Trust Fund</b>	<b>0.00</b>
<b>Fair Park Trust Fund</b>	
Transfers	0.00
<b>Total Fair Park Trust Fund</b>	<b>0.00</b>
<b>Recreation Fund</b>	
<b>Events on the Green</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
<b>Total Events on the Green</b>	<b>0.00</b>
<b>Memorial Day</b>	
Contractual Services	0.00
<b>Total Memorial Day</b>	<b>0.00</b>
<b>Fourth of July Activities</b>	
Contractual Services	0.00
<b>Total Fourth of July Activities</b>	<b>0.00</b>
<b>Grand Total Recreation Fund</b>	<b>0.00</b>
<b>Cemeteries Fund</b>	
<b>Cemeteries Operating</b>	
Personal Services	29,475.00
Travel	0.00
Contractual Services	5,585.00
Supplies and Materials	5,125.00
Capital Outlay	0.00
Other Uses	0.00
Transfers	0.00
<b>Total Cemeteries Operating</b>	<b>40,185.00</b>
<b>Cemeteries (Parks Board)</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total Cemeteries (Parks Board)</b>	<b>0.00</b>
<b>Grand Total Cemeteries Fund</b>	<b>40,185.00</b>
<b>Street C M &amp; R Fund</b>	

<b>Street C M &amp; R Operating</b>	
Personal Services	466,750.00
Travel	250.00
Contractual Services	183,370.00
Supplies and Materials	187,625.00
Capital Outlay	0.00
Debt Service	24,250.00
<b>Total Street C M &amp; R Operating</b>	<b>862,245.00</b>
<b>Street C M &amp; R (Parks Board)</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total Street C M &amp; R (Parks Board)</b>	<b>0.00</b>
<b>Grand Total Street C M &amp; R Fund</b>	<b>862,245.00</b>
<b>State Highway Fund</b>	
Travel	0.00
Contractual Services	22,300.00
Supplies and Materials	29,800.00
Capital Outlay	0.00
<b>Total State Highway Fund</b>	<b>52,100.00</b>
<b>Street Lighting Special Assessment Fund</b>	
<b>Street Lighting Miscellaneous</b>	
Contractual Services	0.00
Transfers	0.00
<b>Total Street Lighting Miscellaneous</b>	<b>0.00</b>
<b>Street Lights-Topaz Cir</b>	
Contractual Services	2,820.00
<b>Total Street Lights-Topaz Cir</b>	<b>2,820.00</b>
<b>Street Lights-Woodridge</b>	
Contractual Services	2,224.00
<b>Total Street Lights-Woodridge</b>	<b>2,224.00</b>
<b>Street Lights-Timber Run</b>	
Contractual Services	2,740.00
<b>Total Street Lights-Timber Run</b>	<b>2,740.00</b>
<b>Street Lights-Russo Ave</b>	
Contractual Services	3,820.00
<b>Total Street Lights-Russo Ave</b>	<b>3,820.00</b>
<b>Street Lights-Jade Cir</b>	
Contractual Services	2,220.00
<b>Total Street Lights-Jade Cir</b>	<b>2,220.00</b>

<b>Street Lights-Willow Way</b>	
Contractual Services	780.00
<b>Total Street Lights-Willow Way</b>	<b>780.00</b>
<b>Street Lights-Morningview Cir</b>	
Contractual Services	1,420.00
<b>Total Street Lights-Morningview Cir</b>	<b>1,420.00</b>
<b>Street Lights-Laurel Hills</b>	
Contractual Services	1,020.00
<b>Total Street Lights-Laurel Hills</b>	<b>1,020.00</b>
<b>Street Lights-Montgomery</b>	
Contractual Services	4,125.00
<b>Total Street Lights-Montgomery</b>	<b>4,125.00</b>
<b>Street Lights-Preserve Blvd</b>	
Contractual Services	2,220.00
<b>Total Street Lights-Preserve Blvd</b>	<b>2,220.00</b>
<b>Street Lights-Willow Bend</b>	
Contractual Services	425.00
<b>Total Street Lights-Willow Bend</b>	<b>425.00</b>
<b>Street Lights-Stonebridge 4</b>	
Contractual Services	1,720.00
<b>Total Street Lights-Stonebridge 4</b>	<b>1,720.00</b>
<b>Street Lights-Hickory Hollow</b>	
Contractual Services	1,020.00
<b>Total Street Lights-Hickory Hollow</b>	<b>1,020.00</b>
<b>Street Lights-Stonebridge 5</b>	
Contractual Services	1,420.00
<b>Total Street Lights-Stonebridge 5</b>	<b>1,420.00</b>
<b>Street Lights-Laurel Hills 2</b>	
Contractual Services	1,220.00
<b>Total Street Lights-Laurel Hills 2</b>	<b>1,220.00</b>
<b>Street Lights-Willow Bend Ph 2</b>	
Contractual Services	720.00
<b>Total Street Lights-Willow Bend Ph 2</b>	<b>720.00</b>
<b>Street Lights-Preserve-Plat 8-Mallard Crossing</b>	
Contractual Services	1,530.00
<b>Total Street Lights-Preserve-Plat 8-Mallard Crossing</b>	<b>1,530.00</b>
<b>Street Lights-Preserve-Plat 9-Woodland Run/Oakview Crossing</b>	
Contractual Services	1,420.00

<b>Total Street Lights-Preserve-Plat 9-Woodland Run/Oakview Crossing</b>	<b>1,420.00</b>
<b>Street Lights-Stonebridge Plat 7-Alabaster/Charleston</b>	
Contractual Services	1,420.00
<b>Total Street Lights-Stonebridge Plat 7-Alabaster/Charleston</b>	<b>1,420.00</b>
<b>Street Lights-Stonebridge Plat 6-Lake Wobegon/Timber Run</b>	
Contractual Services	1,420.00
<b>Total Street Lights-Stonebridge Plat 6-Lake Wobegon/Timber Run</b>	<b>1,420.00</b>
<b>Street Lights-Kings Lake Subdivision</b>	
Contractual Services	4,670.00
Debt Service	0.00
<b>Total Street Lights-Kings Lake Subdivision</b>	<b>4,670.00</b>
<b>Grand Total Street Lighting Special Assessment Fund</b>	<b>40,374.00</b>
<b>Red Gate Operating Fund</b>	
Personal Services	0.00
Travel	0.00
Contractual Services	28,510.00
Supplies and Materials	2,575.00
Capital Outlay	0.00
Debt Service	0.00
Other Uses	0.00
Transfers	0.00
<b>Total Red Gate Operating Fund</b>	<b>31,085.00</b>
<b>Police Department Operating Levy Fund</b>	
Personal Services	613,175.00
Travel	0.00
Contractual Services	27,100.00
Supplies and Materials	54,000.00
Capital Outlay	80,000.00
Debt Service	0.00
Other Uses	0.00
<b>Total Police Department Operating Levy Fund</b>	<b>774,275.00</b>
<b>American Rescue Plan Fund</b>	
Personal Services	0.00
Contractual Services	0.00
Supplies and Materials	200,000.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total American Rescue Plan Fund</b>	<b>200,000.00</b>
<b>Law Enforcement Trust Fund</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00



Capital Outlay	0.00
Other Uses	0.00
<b>Total Law Enforcement Trust Fund</b>	<b>0.00</b>
<b>Mandatory Drug Fine Fund</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total Mandatory Drug Fine Fund</b>	<b>0.00</b>
<b>Education Enforcement Trust Fund</b>	
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total Education Enforcement Trust Fund</b>	<b>0.00</b>
<b>DEA Federal Forfeiture Fund</b>	
Travel	0.00
Contractual Services	2,000.00
Supplies and Materials	2,000.00
Capital Outlay	0.00
Other Uses	0.00
<b>Total DEA Federal Forfeiture Fund</b>	<b>4,000.00</b>
<b>COPS School Violence Prevention Fund</b>	
Personal Services	0.00
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total COPS School Violence Prevention Fund</b>	<b>0.00</b>
<b>COPS School Violence Prevention Fund (15JCOPS-21-GG-03669-SSIK)</b>	
Personal Services	0.00
Travel	0.00
Contractual Services	0.00
Supplies and Materials	0.00
Capital Outlay	0.00
<b>Total COPS School Violence Prevention Fund</b>	<b>0.00</b>
<b>OVI Task Force Grant Fund FY2023</b>	
Personal Services	52,887.42
Travel	0.00
Contractual Services	24,865.10
Supplies and Materials	2,905.70
Capital Outlay	0.00
<b>Total OVI Task Force Grant Fund FY2023</b>	<b>80,658.22</b>

*Grand Total Special Revenue Funds* **2,158,592.22**

*Debt Service Funds*

<b>Red Gate Debt Retirement Fund</b>	
Debt Service-Principal	39,500.00
Debt Service-Interest	450.00
<b>Total Red Gate Debt Retirement Fund</b>	<b>39,950.00</b>

*Total Debt Service Funds* **39,950.00**

*Capital Projects Funds*

<b>General Capital Improvement Fund</b>	
Capital Outlay	0.00
Transfers	0.00
<b>Total General Capital Improvement Fund</b>	<b>0.00</b>

*Total Capital Projects Funds* **0.00**

*Permanent Funds*

<b>Cemetery Perpetual Care Fund</b>	
Contractual Services	0.00
Transfers	0.00
<b>Total Cemetery Perpetual Care Fund</b>	<b>0.00</b>

*Total Permanent Funds* **0.00**

*Proprietary Funds*

*Water Enterprise Funds*

<b>Water Operating Fund</b>	
Personal Services	218,150.00
Travel	500.00
Contractual Services	1,539,210.00
Supplies and Materials	110,625.00
Capital Outlay	0.00
Debt Service	0.00
Other Uses	0.00
Transfers	0.00
<b>Total Water Operating Fund</b>	<b>1,868,485.00</b>
<b>Waterline Improvements Fund</b>	
Contractual Services	0.00
Capital Outlay	0.00
Debt Service	14,100.00
Other Uses	0.00
Transfers	0.00
<b>Total Waterline Improvements Fund</b>	<b>14,100.00</b>

<b>Bradford Dr and Herbert Rd (12" Line) Waterline Replacement Fund</b>	
Contractual Services	0.00
Capital Outlay	0.00
Debt Service	0.00
Other Uses	0.00
Transfers	0.00
<b>Total Bradford Dr and Herbert Rd (12" Line) Waterline Replacement Fund</b>	<b>0.00</b>

*Total Water Enterprise Funds* **1,882,585.00**

*Sanitary Sewer Enterprise Funds*

<b>Sanitary Sewer Operating Fund</b>	
Personal Services	306,650.00
Travel	250.00
Contractual Services	1,231,400.00
Supplies and Materials	18,700.00
Capital Outlay	0.00
Other Uses	10,000.00
Transfers	0.00
<b>Total Sanitary Sewer Operating Fund</b>	<b>1,567,000.00</b>

<b>Sanitary Sewer System Debt Retirement Fund</b>	
Debt Service	23,155.00
Other Uses	0.00
<b>Total Sanitary Sewer System Debt Retirement Fund</b>	<b>23,155.00</b>

<b>Sanitary Sewer System Improvements Fund</b>	
Contractual Services	0.00
Capital Outlay	0.00
Debt Service	39,000.00
Other Uses	0.00
Transfers	0.00
<b>Total Sanitary Sewer System Improvements Fund</b>	<b>39,000.00</b>

<b>Red Gate Sanitary Sewer Extension Fund</b>	
Capital Outlay	0.00
Other Uses	0.00
Transfers	0.00
<b>Total Red Gate Sanitary Sewer Extension Fund</b>	<b>0.00</b>

*Total Sanitary Sewer Enterprise Funds* **1,629,155.00**

*Storm Water Enterprise Funds*

<b>Storm Water Operating Fund</b>	
Personal Services	222,500.00
Travel	50.00
Contractual Services	189,925.00
Supplies and Materials	71,800.00
Capital Outlay	0.00

Debt Service	7,200.00
Other Uses	500.00
Transfers	0.00
<b>Total Storm Water Operating Fund</b>	<b>491,975.00</b>
<b>Sawmill Creek Improvement Fund</b>	
Capital Outlay	0.00
Other Uses	0.00
Transfers	0.00
<b>Total Sawmill Creek Improvement Fund</b>	<b>0.00</b>
<b><i>Total Storm Water Enterprise Funds</i></b>	<b>491,975.00</b>
<b><i>Internal Service Funds</i></b>	
<b>Health Care Self Insurance Fund</b>	
Contractual Services	828,000.00
<b>Total Health Care Self Insurance Fund</b>	<b>828,000.00</b>
<b><i>Total Internal Service Funds</i></b>	<b>828,000.00</b>
<b><i>Grand Total Proprietary Funds</i></b>	<b>4,831,715.00</b>
<b><i>Private Purpose Trust Funds</i></b>	
<b>Cemetery Endowment Fund</b>	
Contractual Services	0.00
Transfers	0.00
<b>Total Cemetery Endowments Fund</b>	<b>0.00</b>
<b><i>Total Private Purpose Trust Funds</i></b>	<b>0.00</b>
<b><i>Grand Totals All Funds</i></b>	<b>12,018,167.92</b>

Section 2 : And the Finance Director is hereby authorized to draw warrants for payments from any of the foregoing appropriations to make expenditures for items of expense constituting a legal obligation against the City.

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 2022.

ATTEST:

CLERK OF COUNCIL

PRESIDENT 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

## MINUTES

### CANFIELD CITY COUNCIL REGULAR MEETING DECEMBER 7, 2022- 5:30 PM

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

Staff present: Christine Stack-Clayton, Finance Director; Charles Colucci, Chief of Police and Acting City Manager; Mike Cook, Secretary; and John Rapp, Public Works Superintendent.

MR. MORVAY: Mr. Neff can you get us into Executive Session?

MR. NEFF: Mr. Chairman, I have a Motion to adjourn into Executive Session pursuant to ORC Section 121.22 (g) (1) to discuss compensation of public employees and imminent litigation pursuant to ORC Section 121.22 (g) (3).

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

Council convened into Executive Session at 5:32pm.

Council reconvened from Executive Session at 6:09pm.

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

Under **MINUTES**, the Minutes of the Regular Meeting on November 16, 2022 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MR. TIECHE: I have none.

MR. NEFF: I have none.

MR. DRAGISH: I have none.

MR. NACARATO: Sit back and enjoy. I did get a lot of comments concerning Lighting of the Green. I just want to give a special thanks to everyone involved. Last minute change of the date and we still pulled it off. We had well over 300 people on the Green for Lighting of the Green, on a Thursday night. It worked out great. I want to say a special thank you to Mike Fay and Mrs. Summers from the grade schools for being part of it, Mr. O'Donnell and the drum line for being part of it. Of course, Chuck for everything you and your staff did to help me to get it all organized, especially last minute. Chuck and I sat down for well over an hour on Tuesday.

CHIEF OF POLICE: Did the speaker work out?

MR. NACARATO: Well, they had it over at Piccadilly.

CHIEF OF POLICE: Then the microphone got lost.

MR. NACARATO: Yeah.

MR. DRAGISH: We had two strong voices.

MR. NACARATO: My chest still hurts from being out there screaming. I'd like to thank Hutch and the Fire Department for all their hard work in making it a success. But most importantly, John and your crew. I threw you guys a lot of curve balls but you guys swung at everyone of them and hit them all out of the park. The Green has never looked better. Considering the fact that we didn't have the gazebo finished and everything I threw at you guys, I appreciate it. I know that the community appreciates it. I wanted to thank you for all that. That's all I got.

MR. MORVAY: I'm going to expand on that I've gotten a lot of comments about the leaf pick-up and how great it was. John's crew, public works are like a duck, underneath they're paddling like crazy but they look cool, calm and collected on the surface. He went through a lot of struggles. I mean, this year, we've had softballs in leaves that broke our machine, short a truck, short a piece of equipment. We've asked people not to mulch their grass into the leaves and we have that. It's so hard to dispose of it then. But I still get comments like, they came back around and they got my leaves and the city really looks good. I just wanted to expand on what Anthony said about your crew. Nice job!

In Rotary we had a presentation about a Smart Drug Program. This is a program where somebody (Rotary International) got together and done studies about the drugs that are put into the sewage system that get into our water system. Even wells have traces of drugs. They've come up with a program where everybody gets a bottle and there is a solution in it, you put your pills in there, when it's full, it changes colors or something, I'm not sure. You send that bottle in and they send you one back. It's totally paid for by grants from the U.S. Government. No cost to us. We just as a city have to embrace it. There will probably be some legislation next time or next meeting.

CHIEF OF POLICE: Yes. I met with Rotary as well and the police department 100% supports the program. The funding, I believe comes from settlements from pharmaceutical companies over manufacturing the opioid.

MR. MORVAY: We think, on the surface it's a good program. We're going to look at it and maybe bring some legislation here to adopt it. More to come on that. That's all I had. Chief communications?

CHIEF OF POLICE: I did receive unofficial word, one from Christine who might have been on lunch break when she saw media coverage the areas received the funding for demolition. We do believe we are on that list. We haven't received official word yet.

CLERK: I seen it on the news, too.

CHIEF OF POLICE: There is optimism that we're going to get our house on Lisbon Street demolished. As we find out more, we'll pass that along.

We have selected our new Income Tax Administrator. Our candidate is currently in the background process and should take the entire month of December. The candidate should be ready to go January 2<sup>nd</sup>. It's been a long process but Kristen and Christine did an excellent job getting us a few people to choose from and we all agreed on one person. Right now, the police department is doing the background investigation and if everything checks out; which we feel that it will, we'll have a new Income Tax Administrator in January. That's it.

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

MR. TIECHE: I do not have a report this evening.

MR. NEFF: Planning and Zoning meets tomorrow.

MR. DRAGISH: I have no report.

MR. NACARATO: Design Review met yesterday, we had two things on our agenda and both passed. We're looking to replace two members of our Design Review Board and that's on our agenda tonight. We'll go from there.

MR. MORVAY: I sit on the Fire District Board and for September we had 289 calls, we had 100 transports with the ambulance. We had the Fair during that time so, we had 96 were Fair calls. We had 2 cardiac arrest patients in the month of September, both of them survived. The equipment that we have on these trucks is just incredible. In November we had 225 calls and 115 were transports with the ambulance and we had 2 fires. I believe one was a kitchen fire and one was a garage fire. That's the report for the Fire District.



MR. DRAGISH: In reference to that, it just clicked in my head, I went by it the other day, the house on Moreland the house is down, grass is planted, it's unbelievable, like night and day, boom. One day, it was done.

MR. TIECHE: Mr. Morvay, back-up, I didn't realize that Patty had printed out the Parks, Recreation and Cemetery Board Minutes and sent it out. So, you probably all have them.

MR. MORVAY: Okay. I'm going to move over to our Public Works Superintendent, John Rapp.

PUBLIC WORKS SUPERINTENDENT: As you know, the crews are finishing up the leaves right now. Friday is the last day that we'll be around to pick them up. If you have any leaves left, get them out tomorrow evening. They'll make one sweep all day on Friday sweeping the town. The company that is going to dispose of our leaves for us will be over at the Fairgrounds this weekend and this will be the last time that they're picking up. As of Monday, we don't have anywhere else to take them. Put them in your trash or do what you got to do with them. Friday will be our last sweep. We will go through the whole town. Last week we were busy putting up the Christmas decorations on the Green. I thought everybody did a great job. It was great working Councilman Nacarato and everybody. It was great to have him up there.

MR. NACARATO: I can't thank you guys enough for all your hard work.

PUBLIC WORKS SUPERINTENDENT: Thank you. Crews have been out with hot patch getting some of these pot holes fixed. We actually had an opportunity to get out this week. We died down with the leaf collecting, so we were able to get out and get half the town done. They're only making hot patch until Friday. We'll probably be out again tomorrow to try to get the rest of the town done. We did some storm drain repairs this week. One of our guys is out doing the meter reading and the utility locate. That's been our last two weeks. Tomorrow we're going to start breaking down the rest of the leaf trucks that we use, that are also salt trucks. We'll leave that one truck ready for Friday but the rest of them will be ready for salting by the weekend. In case we have any weather, we'll be able to take care of that. That's all I have.

FINANCE DIRECTOR: I'm going to be preparing the estimated Certificate of Resources for 2023. I need to have that done before I can do the temporary budget for 2023. At the next meeting there will be legislation for the final budget adjustment for 2022 and the temporary budget for 2023.

ZONING INSPECTOR: For the month of November, we issued 17 permits for a total valuation of \$115, 121.00. I had a conversation with the owner of Dairy Queen and they're planning on demolishing the old Perkins building and rebuilding on that property; hopefully this spring or summer. Farmer's is also planning on demolishing this spring, early. The Dairy Queen over here will be rented out or sold. We won't have two of them in the City. That's all I have.

CLERK: I submitted the Tree City Application to the Arbor Day Foundation on November 28<sup>th</sup> for review. If accepted, this will be the city's 42<sup>nd</sup> year being Tree City.

The Board of Elections certified the results from the November election and I sent that information to the Secretary of State.

The Charter Review Commission meets every 5 years. They are schedule to meet again this year. So, start thinking about who you would want to nominate.

MR. MORVAY: Is one of Council persons usually....

CLERK: Each person nominates someone.

ATTY. FORTUNATO: Private citizens. You don't need to do it now.

CLERK: Just start thinking about it.

ATTY. FORTUNATO: I loved the group you had last time. I'll just say that.

MR. MORVAY: Okay.

CHIEF OF POLICE: The Charter Review seems like it was a year or two ago.

MR. MORVAY: I know.

CHIEF OF POLICE: I thought that we had one more week left for Toys for Tots but it's tomorrow?

FINANCE DIRECTOR: I think it's tomorrow.

CHIEF OF POLICE: There is bin over there for Toys for Tots, the Marines. Every year we collect toys for Toys for Tots. I thought we had one more week but tomorrow is the deadline. If anyone wants to donate. That one is full. The police department is full; which is great. On December 17<sup>th</sup>, all of the Canfield Police Officers are going to receive advanced training edged weapons, weapons retention and ground fighting. We don't have to pay anything for this training. So, in 2000 we hired an officer named Dan Galich. His wife got promoted at GM and he ended up working for multiple agencies, in Troy, Michigan; Auburn Hills, Michigan and he was on a task force in Detroit. So, he is coming down to give back to the City, he wants to give back something to the department. He is going to train our officers. He still works for the Troy Police Department but he no longer is working the road, he's in charge of training the division and he teaches all over the country. He was inspired by Bob Magnuson to teach and he just never stopped, he never shutdown. It's an honor to have him come back and train our officers in these critical areas. We're looking forward to that.

I meant to say this in communications but I'll go ahead and talk about it right now. We've given police escorts to a few local football teams over the last few weeks. I want to congratulate the Canfield High School Football Team on behalf of the City and each and every member of

Council. Fantastic Job. I wish I would have been at the high school when they came back. I understand the Fire Department did the hose bridge or canopy. I love when Hutch does that, that's fantastic. My son and I were at dinner on Monday and we ran into Coach Pavlansky and his daughter. He still feels like there is a game this week.

MR. DRAGISH: I think Canfield should play South Range.

CHIEF OF POLICE: On a quick side note, I referee high school football and I got to coach my son as he was growing up and I knew that time was coming to an end and I love the sport. So, a few years back, I started refereeing high school football. Everybody I meet, everybody that trained me, everybody I work with, tells me there are two coaches in the valley that are the most respectful, well-respected mentors for children, good people and great for the communities and Coach Pavlansky is one of them. The other is Dan Yeagley at South Range. Coach Pavlansky and I got a great relationship, he's an incredible person, great motivator, great with the kids and the lessons him and his team, they're set for life. They're going to have something that nobody can take away. Canfield is blessed to have Pavlansky, in my opinion. He's a good man. Congratulations to the school and the kids that won that state championship.

I'm giving all the department heads until about mid-January to submit budget requests, capital item requests, mid-January and then Christine and I will put it together and we'll go present it to you and the community, end of February or early March. Legally, we have to have it done by March 31<sup>st</sup>, correct?

FINANCE DIRECTOR: Yes.

CHIEF OF POLICE: We'll be working together on that. I'm kind of reaching out a little bit, I got a few members of different boards to give me what they feel they would need to make it a better community place. For sure, the parks. We got awesome parks and we have to take advantage of them and advertise them as much as we advertise the Green. I'm looking forward to working together with the Parks Board and make our Parks something to be proud of. They already are but we're going to make them better. I look forward to doing that. Friday, John, Christine and I meet with the EPA and Veolia. Veolia is the company that oversees the rehabilitation of the water tanks. At that point we'll be able to provide a better answer of when, we'll need legislation to enter the loan but we'll be able to give you a much better idea of how that money is going to be structured. You know, front load at the beginning and staggered out. We'll have much better numbers for you, more accurate idea of what it's going to cost. As soon as that's done, we'll get that resolution out. Anything else on that meeting with Veolia? It's more so preparing for the loan. That should be it. One more important thing, as I previously mentioned, we received the NatureWorks Grant in the amount of \$29, 867 for the pump track at the park. I've invited Lex Calder to our meeting. Lex is on the Parks and Recreation Board. He may have a question or two for me or council when it's time for questions for reports. I think we presented that at the last meeting. There are some questions.

MR. MORVAY: Thanks Chief. Our City Attorney, Mark Fortunato.

ATTY. FORTUNATO: I'll reserve my report for Executive Session we had and the one that we're going to have.

MR. MORVAY: Great.

Under **Questions** from Residents Regarding Reports:

MR. MICCHIA: Good evening, Frank Micchia, 220 Glenview. In regard to leaf pick-up, I'm glad the leaves are about done. Our guys, under some trying circumstances, did a real good job. However, in some areas the leaves sat around for so long that the grass has been killed; my yard among them but there are several around the city. My question is, is the city going to reseed in the area where grass has been killed.

CHIEF COLUCCI: It should grow back.

MR. DRAGISH: It will grow back.

MR. MICCHIA: It looks pretty dead to me.

MR. DRAGISH: I know I have a section in my yard that's dead and it comes back every year.

MR. MICCHIA: I will take that with a grain of salt.

MR. DRAGISH: I'll show you.

MR. MICCHIA: It looks like I have to go to Parks and buy some seed. Thank you.

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. Just a couple of things, the Lighting of the Green was so well done and also when they had the signs for the boys going up to play the game, it was wonderful. The Dairy Queen, we brought that up as maybe potentially public restrooms. I thought to myself, since they're now doing that shift where they're going to build the new Dairy Queen and that place will be available, is there anyway maybe, you guys as influencers could say, Dairy Queen has benefitted tremendously over the years from the City of Canfield and maybe through some kind of convincing.

MR. MORVAY: I don't know that they own that.

MR. DRAGISH: They don't own the property, they own the building that's on it. The guy that owns the property, owns the property behind it, the laundry mat and everything else. So, if the Dairy Queen does that, it would be up to the guy that owns the property, to put restrooms in.

KATHRYN YOUNG: You're the marketing guy, maybe you can, you know.... figure it out.

MR. MORVAY: Anyone else want to ask questions about these reports?

LEX CALDER: Lex Calder, 145 Willow Bend Drive. I worked with Wade and brought to the Parks, Recreation the idea of the pump track and bike playground. It was surprisingly very well received. People like the idea of it. I got with a couple of different companies and got some competing bids and we have some on paper. The original design, as such would be tucked in at Fair Park back behind the main building and between the tree line. This incorporates one solid piece, once it gets bolted together becomes a solid piece, that's the pump track. That's not unique anymore, it was kind of a new thing; now they're going up all over. There are 2 or 3 in Cleveland and there is one in Portsmouth, Ohio and Beaver, PA has one as well. This is the first step of it and it allows the bike park allows the little kids that don't have the skill set necessarily to go over the pump track itself; which takes some coordination. It also gives them some other things that they can go over, like small bridges and dips. In conjunction with that and the bike trail connector, gives people more reason to come into Canfield. I think we're all sold on that idea. We got about \$30,000 approved. We were going for like \$50,000 or \$60,000. We didn't get as much as we want. This as designed was almost \$90,000, that's all in, install, insurance on the actual surface for 10 years. It will last longer than that because they've had stuff out there for a while. What I'm wondering is, where is the timing on actually allocating funds for this because it's a reimbursement grant, we have to put the money forth and they give us money back. Would that be appropriate to try and start next year? Would we be doing a request now? I know Chuck kind of explained it to me, it's my first time on the board. It's not like, it's the General Fund is where it comes from, so things can be done as an amendment, if necessary. What are your feelings on it?

MR. MORVAY: We're going to be working on next year's budget in January. So, it would be a good time to submit that.

LEX CALDER: I guess what I need to do is go back to them with a ballpark figure, so they can redesign and trim it down by like \$30,000. Do you think a \$30,000 would be in the ballpark? I know that's what we did with the Pickleball Courts.

MR. MORVAY: We don't know.

MR. TIECHE: Wade submitted the application for the pump track.

CHIEF OF POLICE: What the total was?

MR. TIECHE: Well, I guess the context because if we're talking about scaling this back from the size of the originally submitted, do we have the flexibility to modify that application? I think what they were telling us is, we got \$29,000 as a grant but they thought we needed another \$60,000 to complete.

FINANCE DIRECTOR: There was a match that was required. As long as the cost of the project was the grant plus the required match, you'd be okay.

LEX CALDER: The minimum is 25%, so we need to have more than that, regardless. I think we can scale it back and still make it fun. It would be a single ring, instead of a double by taking out a couple features. Sixty-thousand is my ballpark.

CHIEF OF POLICE: Lex correct me if I'm wrong but Alec who we've been working with agreed that if it was scaled down with the city's match, we'd be able to do a scaled down version. We'd be able to add on to it in the future.

LEX CALDER: Yes, you can add onto it.

FINANCE DIRECTOR: That was my question, could you do the playground now and the pump track later?

LEX CALDER: It misses the mark of being something unique and different. That's one of the reasons we got this thing because it's not something that's in this area. It's not in Boardman, Austintown or Poland. Part of the application process is showing what is unique to it. Just having dirt trails with little features on it, you can find that in a couple different places but the pump track itself is what kind of makes it uniquely cool. They're already on the bike trail all day long, let's bring them in. Eventually, we can start looking at the trail through the city. I'm just looking for a ballpark to give him because he's asking me what he can know, so he can go back to the designer.

MR. MORVAY: I'd say submit it and we'll consider it in the budget.

CHIEF OF POLICE: One more thing, you and I talked about this, I want to make sure we're all on the same page. I know that through MS Consultants, we recently applied for a grant with 12 different communities, Trumbull and Mahoning that would extend the bike path into our community. People would be able to access this pump track. You had mentioned that there was already discussion about a possible grant that was received.

LEX CALDER: Chuck, didn't they already have one? Wade had already had money allocated.

CHIEF OF POLICE: It was between the park and the city?

LEX CALDER: The actual trail.

MR. TIECHE: That's what I understood. I haven't seen that.

ATTY. FORTUNATO: I haven't either. I didn't hear anything about that.

FINANCE DIRECTOR: It was a study but that was all that was done.

LEX CALDER: No money allocated. That's all in conjunction with Mill Creek. I think they're putting all the money up because they didn't get their extension, so they have an extra 1.2 million because of that. We're still working with them because they're going to start a separate set-up with the skills park, in the Mill Creek Experimental Farm. We're also going to put a small 2 to 3-mile track in some of the wildlife areas they have now. That's a pretty common use area, since there is no motorization allowed. The mountain bike trails that go through Lake Milton, it's like 12 miles long now. They work with the state and the city. Biking, COVID kicked it off, but it hasn't slowed down. People are still increasing their use.

CHIEF OF POLICE: You're working with the park?

LEX CALDER: Yes. Also, I'm working with the rust belt coalition, Joe Cupp is the President and he and I work together.

CHIEF OF POLICE: Can you, as a representative of the City, you sit on the parks board, can you inquire about that?

LEX CALDER: Yes, I have. I've done the walk-thru with Mill Creek, in conjunction with the rust belt coalition.

CHIEF OF POLICE: Can you get back to me?

LEX CALDER: Yes.

CHIEF OF POLICE: Let me know.

LEX CALDER: We have to prioritize which one we want to do. The off trail, that's the most money because you have to hire a specialist to come in with compactors. A skills park is pretty easy. They have the dirt in the park, so they make these things and they compact it down. They have a skills park in Cleveland that's rad.

MR. MORVAY: How do these electric bikes fit in? Do they allow them on these surfaces?

LEX CALDER: Most electric bikes are not yet allowed on most trails. With the pump track they're kind of not necessary because you're not peddling. You literally use the weight of yourself to get through the turn and go over the 180. Most little kids are not running them. I don't see adults doing much on the bike playground. I don't think we have to worry much about that. But electric bikes, someday I'm going to use them too. I can't climb those hills.

MR. MORVAY: I'm there now.

MR. NEFF: That would give us the ability to do something with the land that is sitting there undeveloped behind Fair Park. That's a wonderful area back there.

LEX CALDER: I have big ideas.

MR. MORVAY: Does anybody else want to address the concerns of these reports? Hearing none, we'll move on.

Under **RECOGNITION** of persons desiring to appear before Council:

MR. MICCHIA: Good evening, Frank Micchia, 220 Glenview. In last Sunday's paper there was an article that I would like to read into the minutes. I quote:

"Red Gate spending never ends. At the October 19<sup>th</sup> Council Meeting an Ordinance was passed to authorize the City Manager to sign contracts with MS Consultants for professional services to extend the sanitary sewer from 224 to the Red Gate Farm. This is only for design services, not construction.

The Ordinance specifies the professional services shall be identified as Phase 2 (\$276,384.00) and Phase 3 (\$109,160.00) for a total of \$385,544.00. The city will borrow this money through the Ohio EPA at zero percent.

Keep in mind these dollars are for engineering (design) services only. For Red Gate to become viable, 8000 feet of sewer line will need to be installed at city expense. In addition, 8000 feet of water line will also need to be installed at city expense. These two lines could cost the city in the millions of dollars.

What is the purpose of getting these lines to Red Gate? Who or what is going there? At the present time, do we have any commitment? For 20 years the city has poured money into Red Gate with no results. We are funding a pipeline to nowhere! Frank Micchia."

MR. MORVAY: Thank you, Frank.

MR. MICCHIA: By the way, it about time we cut this burden loose. Let's end the spending there. Cut our loses, sell it, parcel it off. We've spent way too much money there and we'll be spending more money there, for what?

MR. MORVAY: Thank you, Frank.

DENNIS WINGARD: Dennis Wingard, 284 Jade Circle, Canfield. I've been a resident of the City for 35 years. I watch every council meeting, maybe not the same night but over a period of a couple of days. I've been retired for 14 years as an educator of the secondary and post-secondary levels. Being retired, I have some time to do these things and I enjoy doing what I'm doing. I'd like to address the council this evening, our governing body, as you're well aware, the buck stops at this table in front here. You're ultimate responsible, either directly or indirectly for every decision and every outcome made for the city. I become more interested in city matters just prior to August 5, 2015, when the City Council at that time, placed a quarter



percent income tax on the levy in August. It wasn't very much advertised or talked about throughout the city. At that time, I had a friend who was on City Council. I asked, what's the need for the ¼% income tax and they said, a letter would be forthcoming to all the taxpayers. That letter never did come forward. We were working the polls, myself and my wife for the first time, at 6:30 in the morning we had people lined up at the door. A summer morning, August 5, 2015, they weren't all coming out there, there was only one issue on that ballot, they weren't all coming out and raising their hands to say, yeah, I want you to raise my income tax by a ¼%. They were all out there to vote no. It failed miserably. What happened at that time, that would have been income tax, if you receive an income in the city. As a retiree, we don't pay income tax. What happened next, the City Council did the same thing basically, this time they appealed to the safety in the community, to try to keep the people living in a safe community, they ran it as a police levy. It was a 3.9 mill levy. It passed. It was renewed again in 2021 for 5 years. What happened is it shifted the monies for the tax payers from the income tax to the property tax; which hit all the retirees. The reason why I'm here tonight is to talk about a couple of things. I'm not sure I'll have time to do all this but it's on spending in general and more specific on salaries and possible increases coming here. I really need to thank, Frank Micchia and Kathryn Young for being watchdogs over the past many years, not to be derogatory but I think you do a fine job. Also, keep in mind that our city is made up of 4.6 square miles and we have approximately 7,500 residents. The large amount of spending I see may be indicative of having too much money to spend. Salaries and wages, we need of you, this is a rhetorical question, I don't expect an answer, how many of you are regularly aware of what we pay our employees. Last year, approximately 29 bargaining members received their annual cost of living increases of 4% and will most likely receive that same increase again this year. I'm on a fixed income, I haven't had a cost of living increase in 5 years. Last year, 4% to 20 of our employees, we didn't give it to every employee; just the non-bargaining ones. We didn't give it to the police, UWUA and didn't give it to the Fire Department. The way the CPI is again this year, it's calling for another 4% increase. I know we're working toward that and Item C is coming up this evening. If we give them another 4% this year and not to those other ones, what type of message are we sending to the community. I have to bite the bullet because of inflation but if you're a non-bargaining employee of the city, you don't have to worry about that. What the prediction is, probably until about summer of next year, the CPI is going to be high, then it will drop off over a period of time. There may be another increase there. I realize that two things go into an employee increase in pay. Before I go any further, cost of living, we call it a cost of living but actually what it is, is an increase in your wages. It doesn't drop off after the prices drop off. When the Consumer Price Index is reduced, it stays on for the rest of the time. Four percent last year, four percent this year and who know next year. That's an increase in salary from now until the time that you retire from here. I'd also like to know how many employers today, pay and how many employees do they receive annual cost of living. We have this Ordinance that you're going to look at this evening. My other question, when is the last time we went through that ordinance for these 20 people? That's their contract, so to speak. When is the last time we looked at what's included in that contract, to give them a 4% two years in a row?

MR. MORVAY: Denny, I don't want to cut you off but we have a 3 minute. So, if you could wrap it up.

DENNIS WINGARD: Under Item C tonight there is a proposed increase for I think, 4 positions. It's based upon the City Manager, even though we have an acting city manager, that went above and beyond the call of duty and so on. Here is another good example, we can give a person merit pay or we can increase their salary. A merit pay would be a one-time thing. School teachers in Canfield settled a contract back in August, they got a bonus of \$1,000 with COVID money because they kept the schools open. They had extra duties, assignments, aggravation and so on but that doesn't affect their salaries, it's a one-time thing. Here it would be the same type of thing, if they went above and beyond, give them merit payment. We don't have to increase salaries by 2 1/2%. Can I take another minute?

MR. MORVAY: Sure.

DENNIS WINGARD: The last thing about the city manager, it's been discussed and discussed openly in the community, regarding the city manager position. It's been 4 months now. You people know what's going on but the outsiders don't. We don't know what's going on. What's happening with the City Manager Position. I understand through conversations and discussions there are 30 candidates. Have we been in contact with them? Are there any acceptable ones? I think what happened the last two times, the past city manager and the one before, it wasn't their skill set that they brought to the table, that we lost them, so to speak but it was their character, their characteristics. Wade Calhoun was very skilled at what he did. You can't judge a person just on their skill set. You have to get them in front of you multiple times. You have to test their knowledge. You can't just base it upon 5 years of experience. Today, you really have to get down to the character. What is this person like? That's how we lost the last one. The one prior to that wouldn't return a phone call. He wouldn't return an email. He wouldn't return a text. Joe Warino. They can be the most skilled in the world but if they don't have the character what does it matter. All I'm asking you to do is to keep an eye and mind on who is paying the tax bill. I didn't get a cost of living in 5 years. I don't want you coming back to me again in the future with an increase in property taxes. It's the biggest reason these schools got shot down, the cost of the package. Thank you.

MR. MORVAY: Thanks, Dennis.

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. As far as the Charter Review Committee, I would suggest maybe having a few new faces on. New way to look at the Charter as opposed to bringing the ones from 5 years ago and having the same ones. So, if you need somebody, I will volunteer. Thank you.

MR. MORVAY: Thanks Kathryn. Anyone else that would like to appear before council? Hearing none, we'll move on.

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

Under **NEW BUSINESS:**

ITEM A: An Ordinance Amending Canfield Codified Ordinance Section 541.05.

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. DRAGISH: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

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

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. TIECHE: Mr. President, I have an Ordinance Amending Canfield Codified Ordinance Section 541.05. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Chief, what are we doing with this Ordinance. Perhaps Counselor you can answer.

ATTY. FORTUNATO: This is a light trespass ordinance. We've had some people in the community intentionally place poles on the property lines and shining lights directly on the neighbor's property. It's difficult to enforce that from a zoning standpoint because Mr. Cook is not here at 10 o'clock at night. So, we made it a criminal light trespass. It is only really intended to deal with people that are intentionally doing this. Not somebody that has a spotlight on the back of their house that shines a little bit in the neighbor's property but somebody who is placing a light with the intention of it being a nuisance to their neighbor.

MR. TIECHE: How do you know that?

ATTY. FORTUNATO: Oh, what did Justice Stevens say, you know it, when you see it. We have right now, somebody in the city that has placed poles along their property line and the light offers no benefit to their own property, they just shine directly on their neighbor's property.

MR. TIECHE: The light behind you is shining in my eyes and causing me some problems.

ATTY. FORTUNATO: We'll cite it in the morning. This isn't intended to be utilized a lot. It's intended to be something we can discuss with the neighbor who is imposing their light trespass.

MR. TIECHE: If you just have a light up in your backyard, it's your property, even though the neighbor may look at it once in a while.

ATTY. FORTUNATO: It's never going to be used for that.

CHIEF OF POLICE: It's not the house he's speaking of, we had a case where not only did they put lights up, they put cameras up shining in their yard. Through a Prosecutors letter (directive) we got them to take the camera down but the lights stayed up.

ATTY. FORTUNATO: It's usually some underlying neighbor dispute. Somebody gets the bright idea (no pun intended) they shine on their deck or their party area.

MR. MORVAY: This ordinance just gives us some way to control that. Any discussion? Council?

MR. NEFF: I just want to bring up, the school that's in the parking lot back here, the light that they installed is 5 times as bright as any other light in the parking lot. It shines in my windows. This is something that we have to think about because as LED's get brighter and brighter and different temperatures, people could put up security lights that are blinding. It's a concern so, it will be interesting to figure out how we address that when it's not intentional.

ATTY. FORTUNATO: We have some stuff in place on signage but not on that. We'll have to address that down the road, for sure.

MR. MORVAY: Resident, if you want to address this Ordinance now is the time. Hearing none, Patty.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes

Ordinance 2022-54.

ITEM B: An Ordinance Authorizing the City Manager to Enter Into an Agreement for the Provision of Dispatch Services and Declaring 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 provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Ordinance and authorize reading by title only.

MR. TIECHE: 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 Enter Into an Agreement for the Provision of Dispatch Services and Declaring an Emergency. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Chief could you explain?

CHIEF OF POLICE: Coitsville Fire Department, we currently dispatch for them, they informed me that they'll be removing themselves from Canfield and they're going to Austintown. Primarily, the reason is, these fire departments typically work through mutual aid agreements with other agencies. If there is a house fire, two or three of the other local department will go to that fire. They do everything they can to get that fire out immediately. Coitsville ended up here because there was a transitional phase where people were moving and nobody had a home for dispatch. So, Coitsville is going to Austintown, they're going to be with those agencies that they work closely together with. We of course dispatch for Canfield, Green and Berlin. Damascus has requested to come back to our agency. The number, I believe is \$16,500, it's substantially more than what Coitsville was paying us. Damascus wants to come back and they work hand in hand with mutual aid basis with Green, Canfield and Berlin. It makes sense. We're trying to get everything in order in the most logical way possible for fire personnel and staffing. We had lengthy conversations with Damascus as to why they left and why they're coming back. We're confident that they'll be back and they'll be here to stay. It's not going to cost us any money to get them up and running, we already have everything that we need infrastructure wise. I

believe Mark is working on that contract. Damascus has already passed a Resolution to come to Canfield.

MR. MORVAY: What do we lose in revenue with this Chief?

CHIEF OF POLICE: Losing Coitsville?

MR. MORVAY: Yes.

CHIEF OF POLICE: So, I'm thinking....

FINANCE DIRECTOR: Like \$500 a month.

CHIEF OF POLICE: Four to five thousand. However, Damascus will bring \$16,500. So, we do lose a little but it's offset and then some.

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

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes
	Ordinance 2022-55.

ITEM C: An Ordinance Amending Ordinance 2022-48 Adopting Salary and Benefits for All Full and Part Time Non-Bargaining Unit Employees and Declaring 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. NEFF: Second.

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

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

MR. NACARATO: Second

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. NEFF: Mr. President, I have an Ordinance Amending Ordinance 2022-48 Adopting Salary and Benefits for All Full and Part Time Non-Bargaining Unit Employees and Declaring an Emergency.

MR. DRAGISH: Second.

MR. MORVAY: Chief, can you explain this ordinance to us, please?

CHIEF OF POLICE: This is something that I am bringing forward and it is an increase that would cost the city just under \$7,000. Frank, what's it going to cost, I've learned. The proposal is 2.5% to the Chief of Police, (kind of awkward) finance director 2%. Superintendent of Public Works 2% and Clerk of Council 2%. A couple of things, this core group has stepped up, since we are short a city manager. I know that's not going to last forever. We are in the process of attempting to locate another city manager. One of the things we've been doing in this downtime without a city manager is we did some research across the State of Ohio for like communities that have similar populations, a similar form of government and what they're paying their city managers and what they're paying their Police Chief, Finance Director, Public Works Superintendent and believe it, we're well compensated, we're blessed to work in a great town and I appreciate it everyday but we are under the average. Furthermore, it gave us some insight on what to pay the next potential city manager. We're doing everything that we can to make sure that the next city manager, that she or he is given a good hand-off. We're in the process right now of cleaning up as much as we can to make a smoother transition. I've been very vocal about this and I'll go on record and say it, if you feel that these increases are not warranted or not needed, I would remove myself and I would request that the Finance Director, Public Works Superintendent and Clerk of Council do receive them. They're great people, they work hard and they put in a lot of hours and ever since things have changed, they just have stepped up and done everything they possibly can. I know that work will continue. The goal is to give the best hand-off possible to the next city manager and just be a little bit more open to our community. Hear what our community wants and move forward to make a stronger community.

MR. MORVAY: I'll just comment. Chief brought this up to us and I absolutely agree with him, with this. We have extraordinary individuals here. When Wade left office, we never skipped a beat. A lot of it was Chief Colucci stepping up and Christine, John and Patty. We don't want to lose these people. If I pay them another 2, 2 ½% or whatever it is, it's darn well worth it. We cannot lose these people. They're the heart and soul of this city. It's amazing to see what they've done. If you don't believe me, when we get into a crisis, come up here and see how these people dig in and make it happen. So, I'm supporting this, this evening. Chief did say that he would take his off the table, I don't think I'm going to let him. I'm going to pass this ordinance as is.

MR. DRAGISH: I wouldn't let him either.

MR. NEFF: I really think that we've got a great group but because finances are going to be budgeted for the first quarter next year, I think we should wait. That's why I will be voting no.

FRANK MICCHIA: Frank Micchia, 220 Glenview. I just did a quickie calculation of the financial impact of these raises and a quickie calculation, it's \$50,00-\$60,000 a year.

COLLECTIVELY: No. \$7,000.

MR. MICCHIA: The cost of all the employees.

FINANCE DIRECTOR: That's already been approved.

ATTY. FORTUNATO: The issue tonight is \$7,000 total.

MR. MORVAY: The issue today is 4 individuals.

ATTY. FORTUNATO: That's the amendment to the salary ordinance tonight. The total amount of the amendment is \$7,000 per annum.

MR. MICCHIA: 4 people. The heading is administrative and non-administrative employees.

FINANCE DIRECTOR: The other positions are not changing.

ATTY. FORTUNATO: The amendment is a total of \$7,000/ per year for the clerk, chief, public works and finance.

MR. MICCHIA: Okay, thank you.

DENNIS WINGARD: Dennis Wingard, 284 Jade Circle. If this gets passed, the next meeting or whatever, they're going to get the cost of living of 4%?

MR. MORVAY: Whatever that contract is, yes.

DENNIS WINGARD: So, will it be 4% + 2 ½%?

MR. MORVAY: I don't think it's 4%. I think it's something less than that but then there are incentive bonuses (not incentive bonuses) based upon their performance.

DENNIS IWNGARD: I went back and read last year's minutes on the same topic and it was discussed. It was brought up by Frank and Wade Calhoun discussed it with him. What's going to happen is, it's a two thing, it's a cost of living, plus based upon your evaluation, which can't exceed 4.



FINANCE DIRECTOR: The amounts that are in this ordinance are the maximum that it can be, for each person. They can't go over this.

DENNIS WINGARD: With the 2 combined, they can't go over 4.

FINANCE DIRECTOR: Correct.

DENNIS WINGARD: So, last year, as I was saying, forget about the evaluations, we don't even need those. Just the cost of living increase of 4% will take care of it. Do you follow what I'm saying? Right, Christine.

FINANCE DIRECTOR: Right.

MR. TIECEH: There are some employees who are not yet at the maximum. That's not this year but previously. They had the ability to get an adjustment. But you still can't go over more than what it calls for.

DENNIS WINGARD: More than 4%. But last year everybody got the 4%.

MR. DRAGISH: No, not everybody did.

CHIEF COLUCCI: I didn't.

DENNIS WINGARD: It says any non-bargaining unit member, last year got a 4% cost of living.

CHIEF COLUCCI: They were eligible for it.

DENNIS WINGARD: Everybody should have gotten it.

CHIEF COLUCCI: I know I didn't.

FINANCE DIRECTOR: People got different increases but it's capped at what's in this Ordinance.

ATTY. FORTUNATO: 4%, that's a cap. Not everybody gets that.

FINANCE DIRECTOR: Not everybody gets the 4%. They may or may not.

DENNIS WINGARD: The CPI (inaudible) according to Wade and he said, so, everybody will get the 4% of the non-bargaining unit, will get that 4% automatically.

FINANCE DIRECTOR: We did that 4% but the year before not everybody was at the max amount.

DENNIS WINGARD: I know that. Last year was an exceptional year but of the CPI. This year as well, in 2022.

CHIEF OF POLICE: If he said that everyone got it, not everybody did. If you got the minutes and he said it, not everybody did get it.

DENNIS WINGARD: That's what the ordinance is, anybody that is a non-bargaining unit member. You're non-bargaining. It was about 21 people that should have gotten it. I'd like to know the names of those who didn't get it. Christine, the public records I requested, how do they earn bonus? What transpired, you sent me the regular wages first and I asked for any monies that employees received for their gross pay as of December 31<sup>st</sup> of last year.

FINANCE DIRECTOR: The police department has a lot of bonuses in their union contract; for physical fitness, for holidays.

DENNIS WINGARD: That stipulation inside of here where they can't exceed these numbers, that's bogus.

FINANCE DIRECTOR: It depends on where you're looking. The salary amount is that but there are bonuses on top for other employees. Employees covered by this, I don't get any bonus for holiday pay or physical fitness. This is what we get.

DENNIS WINGARD: So, this only pertains to their regular wages?

FINANCE DIRECTOR: Yes.

DENNIS WINGARD: So, they can go way above and beyond that.

FINANCE DIRECTOR: Well, if there are bonuses in the ordinance for those people but there is not.

DENNIS WINGARD: These two don't jive. When I look at this we'll take this as an example, not that I'm picking on that person, police chief, the first one is the city manager but for example in 2022 it says the highest amount would be \$111,550.00. That should be the highest amount of regular wages that person would make?

FINANCE DIRECTOR: Correct.

DENNIS WINGARD: That person could go over.

FINANCE DIRECTOR: Yes.

DENNIS WINGARD: Thank you.

MR. MORVAY: Any other questions? Hearing none, Patty.

ROLL CALL ON ORDINANCE:

4 Votes-Yes  
1 Vote-No (Mr. Neff)  
Ordinance passes.  
Ordinance 2022-56.

ITEM D: A Resolution Authorizing the City Manager to Enter Into An Agreement with MS Consultants, Inc. in the Form Attached Hereto for Project Management Services Regarding Inspection of Water and Sanitary Sewer Installation (Phase 2) at Millennial Moments and Related Items as Provided Therein and Declaring 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 Resolution 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 provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Resolution and authorize reading by title only.

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes  
0 Votes-No  
Motion passes.

MR. DRAGISH: I Have A Resolution Authorizing the City Manager to Enter Into An Agreement with MS Consultants, Inc. in the Form Attached Hereto for Project Management Services Regarding Inspection of Water and Sanitary Sewer Installation (Phase 2) at Millennial Moments and Related Items as Provided Therein and Declaring an Emergency. I move for passage.

MR. NEFF: Second.

MR. MORVAY: Chief, why are we passing this resolution this evening?

CHIEF OF POLICE: Council wishes to contract MS Consultants for professional services to inspect the water and sanitary installation at Millennial Moments (Phase 2). The estimated amount of the inspection is \$25,000. Basically, it's just to have somebody there on site to make sure the infrastructure is put into place according to plans.

MR. MORVAY: The length of time of this would be? Until it's completed?

CHIEF OF POLICE: Yes, for Phase 2 and then Phase 3 we'll be asking for the same.

MR. TIECHE: This is the inspection for the main lines?

CHIEF OF POLICE: Yes, laterals.

MR. TIECHE: Can we break down the cost of each of those to be charged against the building permit when they come into acquire building permits.

ZONING INSPECTOR: It already is.

MR. TIECHE: So, this fee is going to be built into the cost and then divided by 100 homes or whatever.

ZONING INSPECTOR: It's \$2,200 right now. We took every home that could possibly be built from 224 into that development and they all have the assessment charge.

MR. TIECHE: My question is, did you have what the cost is for this inspection built into that?

ZONING INSPECTOR: No, not the inspection, just for the laterals. We didn't have the cost for MS built in. I see what you're saying.

MR. TIECHE: Will we charge this amount as part of their permit? Is this just the cost that the city is paying?

ZONING INSPECTOR: I have no way of charging unless we assess.

ATTY. FORTUNATO: It's up to council.

MR. TIECHE: If we're incurring this cost and it's to their benefit, why don't we add that on and divide it by the number of homes.

ATTY. FORTUNATO: How much of that \$25,000 would be laterals? You're talking about the laterals.

MR. TIECHE: I'm talking about the whole thing.

ATTY. FORTUNATO: We can take a look at that.

MR. TIECHE: If we're paying the cost of the installation and sewer line, how we going to pay for the cost of the inspection. It seems to me that we ought to be some reimbursement from them.

FINANCE DIRECTOR: I believe this is the inspection on what Millennial Moments is installing. So, that when we take it over, we are assured that it was done correctly.

MR. TIECHE: I understand that but still it is a cost that Millennial Moments should be paying and not the City of Canfield.

ATTY. FORTUNATO: Let us go back and see how we arrived at the \$2,200, that may be part of it.

MR. TIECHE: Then my concern is, if we have phase 3 coming up, we're going to have another cost going on.

ATTY. FORTUNATO: The previous city manager had the total dollar amount and then Mike divided by the number of potential residences.

MR. TIECHE: The previous city manager didn't know about these numbers.

ATTY. FORTUNATO: He may have estimated it in there. We'll figure it out.

MR. MORVAY: We had discussion about this inspection. Wade knew about it.

MR. TIECHE: And that we were going to charge.

ATTY. FORTUNATO: Yes. It may be baked in already, we'll see.

MR. TIECHE: My question is, is it?

ATTY. FORTUNATO: Is it baked in?

MR. NEFF: Should be table it?

ATTY. FORTUNATO: We can pass it. If it's not baked in, we'll come back and bake it in.

MR. MORVAY: Residents, questions?

MR. MICCHIA: Frank Micchia, 220 Glenview. Just for clarification, this has nothing to do with Red Gate, it is only Millennial Moments?

COLLECTIVELY: Correct.

ROLL CALL ON RESOLUTION:

5 Votes-Yes  
0 Votes-No  
Resolution passes  
Resolution 2022-11.

ITEM E: A Motion Making Appointments to Board, Commissions & Committees.

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

MR. DRAGISH: Second.

ROLL CALL ON MOTION:

5 Votes-Yes  
0 Votes-No  
Motion passes.

MR. NACARATO: Mr. President, I have a Motion Making Appointments to Boards, Commissions and Committees. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Chief, why are we appointing these people?

CHIEF OF POLICE: There are currently a few positions on our Boards, Commissions and Committees that expire on December 31, 2022. Vacancies exist because of term limits and resignations. Most of the appointments are reappointments. However, there are also vacancies to be filled on the Civil Service Commission, Design Review/Historic Preservation Committee and the Parks, Recreation & Cemetery Board.

MR. MORVAY: Before we move on, on the Design Review Board we have 4 candidates. We got to see who we're going to appoint. We'll take those in order.

CLERK: We're going to fill in the blanks. I put the applicant's names in alphabetical order. We'll go through each one and vote on them, for Design Review. The first person is:

Eric Axelson- 4 Votes-Yes  
1 Vote -No (Mr. Tieche)

Kirk Kreuzwieser:  
1 Vote-Yes (Mr. Tieche)  
4 Votes-No

Sam Oliver:               0 Votes-Yes  
                                  5 Votes-No

Joe Testa:                5 Votes-Yes  
                                  0 Votes-No

CLERK: So, the two names will be Eric Axelson and Joe Testa to fill in the blanks.

MR. TIECHE: Members of Council, I'm going to go on record saying something that I've said before. My opinion is, the Design Review Committee needs an architect member. When the Design Committee was originally established it required an architect to be on the Design Review Committee. What year was it that we found that they....

ZONING INSPECTOR: 1967.

MR. TIECHE: 1967 was the change. With the things that go on in the community, I think that it is pretty critical that you have an architect on the Design Review Committee.

MR. MORVAY: We have a Motion in front of us, we filled in the blanks. Residents, any question or concerns? Hearing none, Patty.

ROLL CALL ON MOTION:	5 Votes-Yes
	0 Votes-No
	Motion passes.
	Motion 2022-23.

MR. MORVAY: I'm going to ask Mr. Nacarato to get us into Executive Session.

MR. NACARATO: Mr. President, I have a Motion to adjourn into Executive Session pursuant to ORC Section 121.22 (g) (1) to consider the employment of a public official. I move for passage.

MR. DRAGISH: Second.

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

Council adjourned into Executive Session at 7:23pm.

Council reconvened from Executive Session at 8:05 pm

Mr. Tieche made the Motion to adjourn.

Mr. Neff seconded the Motion.

All members were in favor of adjournment.

Council adjourned at 8:06pm.

---

PRESIDENT OF COUNCIL

ATTEST:

---

CLERK OF COUNCIL





## City of Canfield

104 LISBON STREET  
CANFIELD, OHIO 44406-1416

Phone: 330-533-1101  
Admin. Fax: 330-533-4415  
Finance Fax: 330-533-2668  
[www.ci.canfield.oh.us](http://www.ci.canfield.oh.us)



**DATE: DECEMBER 8, 2022**

**TO: MEMBERS OF COUNCIL**

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

**SUBJECT: A RECOMMENDATION TO COUNCIL A NEW CANFIELD CODIFIED  
ORDINANCE SECTION 1155.24 TRANSFER OF OWNERSHIP OF  
UTILITIES.**

At the regular meeting of the Planning and Zoning Commission on December 8, 2022, the following motion was made:

Mr. Decapua made a motion to recommend to Council a new Canfield Codified Ordinance Section 1155.24 Transfer of Ownership of Utilities.

The motion was seconded by Mr. Palermo.

This motion passed 4 - 0



## City of Canfield

104 LISBON STREET  
CANFIELD, OHIO 44406-1416

Phone: 330-533-1101  
Admin. Fax: 330-533-4415  
Finance Fax: 330-533-2668  
[www.ci.canfield.oh.us](http://www.ci.canfield.oh.us)



**DATE: NOVEMBER 10, 2022**

**TO: MEMBERS OF COUNCIL**

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

**SUBJECT: A RECOMMENDATION TO COUNCIL A NEW CANFIELD CODIFIED  
ORDINANCE SECTION 1155.24 TRANSFER OF OWNERSHIP OF  
UTILITIES.**

At the regular meeting of the Planning and Zoning Commission on November 10, 2022, the following motion was made:

Mr. Decapua made a motion to recommend to Council a new Canfield Codified Ordinance Section 1155.24 Transfer of Ownership of Utilities.

The motion was seconded by Mr. Palermo.

This motion passed 3 - 0