

AGENDA
CANFIELD CITY COUNCIL

January 17, 2024-5:30 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** Amending Ordinance 1973-44 Rezoning Lot 929 at 530 West Main Street From B-2 General Commercial to M-1 Manufacturing.

Description: Mr. Cerimele attended a council meeting on December 6th to explain why he wanted a zone change. Council gave a first reading to the zone change that he is requesting. The front of Mr. Cerimele's property is a daycare. He has self-storage on the back part of his property. He is requesting to have outside storage on his property which is zoned B-2. B-2 Zoning does not allow for outside storage. He is requesting a zone change from B-2 (General Commercial) to M-1 (Manufacturing).

Action Needed: Passage of this Ordinance.

Attachment(s): Recommendation from Planning & Zoning.

Public Comments

11. NEW BUSINESS

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

- A. An **Ordinance** Amending Canfield Codified Ordinance Section 925.02 Prohibiting New Wells in the City.

Description: This Ordinance materialized through a recommendation from the Ohio EPA.

Action Needed: Passage of this Ordinance

Attachment(s): Ordinance

Public Comments

- B. An **Ordinance** Adopting an Internet Auction Policy for 2024 for the Disposal of Unneeded, Obsolete or Unfit Personal Property.

Description: Ohio Revised Code (ORC) Section 721.15(D) authorizes municipalities to dispose of obsolete, unneeded or unfit for use, property through internet auctions. Furthermore, ORC 721.15 (D) requires the establishment of a policy annually for the administration of the internet auctions.

This Ordinance adopts an internet auction policy for the City of Canfield for Fiscal Year 2024 for the disposal of unneeded, obsolete, or unfit personal property.

Action Needed: Approval of Ordinance.

Attachment(s): Ordinance.

- C: A **Resolution** Authorizing the City Manager to Execute Contracts and Act as Chief Executive Officer for the Ohio Environmental Protection Agency, Division of Drinking and Ground Waters (DDAGW) Ohio EPA Generator Grant.

Description: See John Rapp

Action Needed: Passage of this Resolution

Attachment(s):

12. Council Comments.

13. Adjournment

Introduced By: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 1973-44
REZONING LOT 929 AT 530 WEST MAIN STREET FROM B-2
GENERAL COMMERCIAL TO M-1 MANUFACTURING.

WHEREAS, the Council of the City of Canfield, Ohio desires to rezone lot 929
at 530 W. Main Street from B-2 General Commercial to M-1 Manufacturing.; and

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

Section 1: Situated in the City of Canfield, County of Mahoning and State of
Ohio, Lot 929 at 530 W. Main Street from General Commercial (B-2) to Manufacturing (M-1)

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., 2024.

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

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



DATE: JANUARY 11, 2024

TO: MEMBERS OF COUNCIL

FROM: JODI FLINN, SECRETARY
PLANNING AND ZONING COMMISSION

SUBJECT: A RECOMMENDATION TO COUNCIL TO REZONE LOT 929 AT 530 W
MAIN ST. FROM TO B-2 (GENERAL COMMERCIAL) TO M-1
(MANUFACTURING).

At the regular meeting of the Planning and Zoning Commission on January 11, 2024, the following motion was made:

Mr. Decapua made a motion to recommend Council Rezone Lot 929 at 530 W Main St. from B-2 General Commercial to M-1 (Manufacturing).

The motion was seconded by Mr. Kristen.

Mr. Neff abstained from voting.

This motion failed 0 - 4

Introduced by: _____

First Reading: _____

AN ORDINANCE AMENDING
CANFIELD CODIFIED ORDINANCE
SECTION 925.02
PROHIBITING NEW WELLS IN THE CITY

WHEREAS, upon recommendation from the Superintendent of Public Works the Council of the City of Canfield believes it to be in the best interests of the health, safety and welfare of the residents of the City to prohibit the drilling and installation of new wells within the City limits.

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

Section 1: That new Subsection 925.02(i) is hereby added to Canfield Codified Ordinance Section 925.02 as follows:

“925.02(i) No owner, agent, lessee, tenant or occupant of any lot or land located within the municipality shall install, establish or construct a well for human consumption or any other use.”

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 _____, 2024.

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: _____

**AN ORDINANCE ADOPTING AN
INTERNET AUCTION POLICY FOR 2024
FOR THE DISPOSAL OF UNNEEDED, OBSOLETE
OR UNFIT PERSONAL PROPERTY**

WHEREAS, the City of Canfield desires to adopt its policy pursuant to which it may dispose of unfit, unneeded or obsolete personal property by internet auctions, and

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

Section 1: That the City Manager may dispose of unneeded, obsolete or unfit personal property in accordance with the following policy:

**City of Canfield
Internet Auction Policy**

1. No action taken by the City to sell unneeded, obsolete or unfit personal property of the City shall supersede authority granted them by the Ohio Revised Code.
2. Auction time frames for each sale shall be ten (10) days including Saturdays, Sundays and legal holidays and all required notices and postings will be provided.
3. All items available for sale will be posted on the City's website at www.canfield.gov. The City website will also contain a direct link to auction site.
4. All items will be sold "as is" and the City shall make no warranty as to condition of any item.
5. The City reserves the right to withdraw any item from any auction at any point prior to the award of bid.
6. The City reserves the right to establish a minimum price per auction item.
7. Auction items may be available for public inspection if practical and if arrangements are made in advance.
8. Bids will only be accepted through EBay.com, or other entity as provided in the applicable legislation to dispose.
9. Successful bidders will be notified by the City. Payment will be by certified bank check, or through internet auction payment service Paypal.com, or direct debit or credit card charge.

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 _____, 2024.

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 TO FORM:

MUNICIPAL ATTORNEY

Introduced by: _____
First Reading: _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACTS
AND ACT AS CHIEF EXECUTIVE OFFICER ON BEHALF OF THE CITY REGARDING THE OHIO
ENVIRONMENTAL PROTECTION AGENCY, DIVISION OF DRINKING AND GROUND WATERS
(DDAGW)OHIO EPA GENERATOR GRANT

WHEREAS, the Director of the Ohio Environmental Protection Agency, Division of
Drinking and Ground Waters (DDAGW) has determined that the City of Canfield's grant
application for a generator at the Hilltop Storage Tank has met the requirements and has
been awarded to the City of Canfield.

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

Section 1: That the City Manager is hereby authorized and directed to execute
contracts, take all steps necessary, and act as Chief Executive Officer on behalf of the City
with regards to the Ohio Environmental Protection Agency, Division of Drinking and Ground
Waters, for a generator grant.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2024.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

MINUTES

CANFIELD CITY COUNCIL
REGULAR MEETING/REORGANIZATIONAL MEETING
 JANUARY 3, 2024-5:30 P.M.

The meeting was called to order by Atty. Fortunato., followed by the Pledge of Allegiance. The Clerk called the roll to which a quorum responded as follows: Mr. Dragish, Mr. Graham, Mr. Neff, Mrs. Oliver and Mr. Tieche.

Staff present: David D’Apolito, City Manager, Charles Colucci, Chief of Police, Christine Stack-Clayton, Finance Director; and John Rapp, Public Works Superintendent.

ATTY. FORTUNATO: I open this meeting when we have a reorganization of Council. We don’t have yet, a duly elected President of Council. At this time, I would like to have a Motion made pursuant to Section 2.04 of the Rules of Council to change the order of business tonight and move New Business, Item E, to the first item on the agenda.

MR. TIECHE: So, moved.

MR. GRAHAM: Second.

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

ITEM E: A Motion Appointing _____ to the Position of President of Council.

ATTY. FORTUNATO: Now we’re considering Item E. If someone would like to make a motion to appoint an individual as President of Council.

MR. DRAGISH: I’d like to make a Motion to make Christine Oliver, President of Council.

ATTY. FORTUNATO: Do we have a second?

MR. GRAHAM: Second.

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

ATTY. FORTUNATO: Any other nominations?

MR. TIECHE: Point of Order. If all voted yes on that motion. Is it a moot point to nominate someone else?

ATTY. FORTUNATO: Well that's a nomination. It's not a moot point. At the last reorganization meeting we did have two individuals nominated.

MR. TIECHE: In that case, I will nominate Bruce Neff.

MR. NEFF: Second.

ROLL CALL ON NOMINATION:	2 Votes-Yes
	3 Votes-No (Dragish, Graham and Oliver).
	Motion Fails.

ATTY. FORTUNATO: We have one nomination because that one failed. Let's vote on that nominee.

MR. DRAGISH: I'd like to make a motion to appoint Christine Oliver, as President of Council.

MR. GRAHAM: Second.

ROLL CALL ON MOTION:	4 Votes-Yes
	1 Vote-No (Mr. Neff)
	Motion passes.
	Motion 2024-01.

ATTY. FORTUNATO: Mrs. Oliver, you are the duly appointed President of Canfield City Council. You can take it from here. We're on ITEM 4. PROCLAMATIONS & PRESENTATIONS.

MRS. OLIVER: First, I'd like to say thank you to my fellow council members for nominating me as President of Council.

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

MR. DRAGISH: Not this evening.

Under **APPROVAL OF MINUTES**, the Minutes from the Regular Meeting and the Public Hearing on December 20, 2023 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MR. TIECHE: I do not have any this evening.

MR. NEFF: I have none.

MR. DRAGISH: I have none.

MR. GRAHAM: I have none.

MRS. OLIVER: Mr. Tony Vechiarelli, of 8 Willow Way said his streetlight by him is not working. I have a request that we get that repaired. On the corner of Mr. Morvay's property at 46 & Willow Way, there is a wire hanging and wrapped the pole from some kind of work that was done. They don't know what kind of wire it is, so they would like that looked at.

PUBLIC WORKS SUPERINTENDENT: That would be Ohio Edison.

MRS. OLIVER: Okay. Mr. Morvay brought it to my attention. Then we have a few citizens that are requesting that street lights be placed on 46 up to the bridge. If there is any grant money or anything available, they would like that to be finished. From what I understand, it was requested in the past and they would like to have that done. If we could look into that, it would be appreciated. That's all I have.

DAVID D'APOLITO: No communications.

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

MRS. OLIVER: Mr. Tieche

MR. TIECHE: I believe all members of Council got the minutes of the Parks Board minutes. That will stand for my report.

MRS. OLIVER: Mr. Neff.

MR. NEFF: No report.

MRS. OLIVER: Mayor Dragish.

MR. DRAGISH: No report.

MRS. OLIVER: Mr. Graham, you were at your first Design Review meeting last night.

MR. GRAHAM: We had a reorganization meeting. Eric Axelson was appointed chairperson of that meeting. Of course, our new zoning inspector, Jodi Flinn was appointed as the secretary. There was no other business on the agenda.

MRS. OLIVER: Thank you.

MRS. OLIVER: My first meeting is at the end of the month but John Morvay gave me the information. Total calls for the month of December 217, AMS and Lane Transports was 115. There was one fire loss for \$10,000. That would be the Fire District Report.

MRS. OLIVER: Our Public Works Superintendent, Mr. John Rapp.

PUBLIC WORKS SUPERINTENDENT: Good evening. We're going to have a road closure on Glenview. We're going to put the information out beginning tomorrow. We'll do the same thing, like we did on Briarcliff last week. It's going to be right there at the culvert where the rear entrance of the church comes out to the old Brocker Property, they call it. Right there, there is a culvert. We're going to go door-to-door with the local residents. We're going to put it on the city website. It worked out real well last time. This time, we're looking at 3 days. It's a large pipe in the middle of the road, 10 feet deep. If they get done in two, that would be fantastic, we can open it up earlier but they're looking at 3 days. We'll notify the police, fire, busing and everybody we did last time.

MR. TIECHE: Question: Are you replacing the same size pipe or are you going to enlarge it?

PUBLIC WORKS SUPERINTENDENT: It's enlarged. It's in the middle of the street.

MR. TIECHE: I know where the pipe is, I'm just thinking about the size of the culvert crossing there.

PUBLIC WORKS SUPERINTENDENT: It's not the culvert that is getting replaced.

MR. TIECHE: Oh, it's not the culvert.

PUBLIC WORKS SUPERINTENDENT: No. It's a regular storm line. There are two manholes being set in the road and then another one off to the side of the road, all part of the Sawmill Improvement Project.

MR. TIECHE: What is the flow into it and the flow out of it? It gets to the creek on the east side of Glenview?

PUBLIC WORKS SUPERINTENDENT: Yes.

MR. TIECHE: Okay. But it's not coming down Sawmill Creek through the old Broker Property?

PUBLIC WORKS SUPERINTENDENT: No. That will still continue to go through. It will go up through the next street which is Moreland.

MR. DRAGISH: But it's going to continue up Moreland?

MR. TIECHE: Is it on the east side or the west side of Glenview?

PUBLIC WORKS SUPERINTENDENT: We're going to be on both sides of the road.

MR. TIECHE: So, you're running pipe up both sides of Glenview?

PUBLIC WORKS SUPERINTENDENT: So, it's going to be on the east side going into the creek, next to the culvert. Then it's going to 45 out into the middle of the road. There will be a manhole. Then it's going to run down the middle of the road to another manhole, back over to the east side and then for some reason, it cuts back over to the west side and picks up that area. It's all painted out in orange, if you want to see it.

MR. DRAGISH: I saw it today.

PUBLIC WORKS SUPERINTENDENT: I'm sure there is a reason for it.

MR. DRAGISH: We obviously did contact the schools. I know, me particularly, I will cut around there to go up Moreland.

PUBLIC WORKS SUPERINTENDENT: We just found out today at 3:00pm. So, right now, first thing in the morning we're contacting the buses, the schools, we're sending an email out to all of our safety services. Hopefully, the school can do an "all call" and let the parents know. Monday, Tuesday and Wednesday of next week. Hopefully, just Monday and Tuesday. They're hopeful that Tuesday, in the evening, it will be open, just for through traffic. In case they would have to shut down on Wednesday. I'll let everybody know, through email.

Crews are continuing with water meter installations. Things are going very well. We're going to remove the holiday decorations early next week, weather permitting. I met with 3 representatives from ODOT regarding the fire hydrants on 224. We met at staff meeting today and we're just coming up with a plan to have those hydrants moved back.

The clock and utility pole at the middle Green, north side was removed today. The tree trimming on the South Green was finished-up on Saturday. So, that leaves the north end of the Green, the only remaining area of the Green that needs the tree trimming. We're going to look at doing that next year.

MR. TIECHE: Parks Board would say, thank you for taking down the clock. That's been a subject on their agenda for a couple of meetings now.

MRS. OLIVER: Now, we go to our Finance Director, Mrs. Christine Clayton.

FINANCE DIRECTOR: Post cards will be mailed by the end of the month with information on how to obtain the city income tax return and what you need to include when you file. There is an option to E-File and pay any amounts due on our website. An exemption certificate for retired

individuals is mailed to any taxpayers that we have identified as retired in our system. All they have to do is sign that form and send it back, as long as they have no earned income.

MRS. OLIVER: Thank you. So, if somebody doesn't, if you don't know they're retired, then they just contact you to be added to this list?

FINANCE DIRECTOR: There is a section to mark on our regular tax return for retired. That's all they have to fill out. There is a check boxes and sign it.

MRS. OLIVER: Thank you. We move onto our Zoning Inspector who is not here.

CLERK: I have a report for him. For the month of December there were 5 permits issued for a total valuation of \$53,018.00. For the year, there were 332 permits for \$18,987,240.00. There were 8 single family homes built this year.

MRS. OLIVER: That's wonderful. Thank you, Patty. Our City Clerk, Mrs. Bernat.

CLERK: That's all I have.

CHIEF OF POLICE: Good evening. Since this is fresh, I was recently asked, minutes ago. On December 29th, cocaine was found in an aisle at Giant Eagle. It apparently fell out of somebody's pocket. It was tested to be positive for cocaine. We viewed all of their security cameras and they have a good system but the angle and the placement of where it was found is impossible to determine who dropped it. It was confirmed that it was cocaine and it was found in the aisle. Somebody is probably really upset they can't find it. (Laughter). We have a really good relationship with Giant Eagle, they were on the phone immediately. They're great.

Right now, we're closing out of Federal Grant that we received, the School Violence Prevention Program. We received that grant over the last year and a half. The grant was utilized, the funds, security cameras at Canfield High School, camera system for the entire school bus fleet for Canfield Local School District and upgraded door locks at the Mahoning County Career and Technical Center. The total of that grant that we received is \$245,335.00. Canfield Police worked together with MCCTC and Canfield Local School District to make it all happen. It is a school safety grant but the police department has to apply for it. Chris gets to do all the admin work. I give her and Scott Weamer a lot of credit for administering those grants. The Federal Grants have so much red tape and are so different than state or other local grants. We keep applying for them. If they're offered again, we'll apply for it. On December 15th, Canfield Police Department fielded a report from a resident pertaining unwanted contact from an ex-spouse. It violated a protection order. After the investigation, Cody Schultz (spelled phonetically) was charged with violation of a protection order and issued a summons for court. That was on Callahan. On December 21st, our police department fielded a report of individuals observed obtaining water from a fire hydrant. Patrol Officers who responded to the scene determined that the individual represented from JAC Construction. It wasn't a city project but a private project. So, they're from J.A.C. Construction and did not have a permit to obtain municipal

water from a hydrant. The officers issued a summons to Jordan Fletcher and Justin Pluet (spelled phonetically) from the offense of theft. I believe they were from West Virginia.

PUBLIC WORKS SUPERINTENDENT: I don't know that.

CHIEF OF POLICE: One of them was from West Virginia. Anytime anyone sees anyone tapping into our fire hydrants you need to get ahold of us. There is a process for that permit meter, we have to pay for it.

PUBLIC WORKS SUPERINTENDENT: This was a call from a resident to the city building calling me right away. Usually you have a small 5 to 10-minute window and they're out. It happens more frequently than you think. Everything was just boom, boom, boom and we got there and called PD and they took care of it.

CHIEF OF POLICE: Not watering down Frank's ongoing complaint but it was a day that we had extra officers out because there was no school because of the Christmas holiday. It was our school resource officer, we had 2 extra cars out. We were able to get there fast.

DAVID D'APOLITO: No pun intended with watering down. (Laughter).

CHIEF OF POLICE: It happens from time to time. They're out in the middle of the night tapping into our fire hydrants. We've always been successful stopping it.

On December 29th, we fielded a report from the BMV, indicating a subject attempted to obtain identification by presenting stolen documents and posing as another individual. Neil Kennedy was identified as the suspect and fugitive warrants were obtained for charges of identity fraud, tampering with records, and forgery. Three felony charges. Thanks to our BMV in the Colonial Plaza for letting us know that. It was very obvious to them. As far as I know, he has not been apprehended but fugitive warrants were issued.

MR. DRAGISH: I have a question. An officer came to my house on Christmas Day night at about 11:30pm. and rang the doorbell. I was up but I was kind of like, I don't know if I should open the door. I grabbed my baseball bat. I went out the side door and saw an officer that I recognized. At that point, I saw the cruiser in the street running. Somebody had made a 911 call and they couldn't find the location of the call.

CHIEF OF POLICE: They do the best they can. They triangulate off the towers. It was right in your area.

MR. DRAGISH: It was strange. I never saw that happen. Obviously, I was like, it's not here, we're good.

CHIEF OF POLICE: It's not often but if somebody does need help.

MR. DRAGISH: That's what I said, but I just never heard, I never knew what happened after that.

CHIEF OF POLICE: Nothing was found.

MRS. OLIVER: I always thought that they get the phone number and they call that number back.

CHIEF OF POLICE: They did. No answer. We went off location. It's not as specific as you would think.

MRS. OLIVER: Thank you, for what you guys did for our schools. My daughter attends our schools, so I'm really big on school safety. Thank you, very much. Anything else, Chief?

CHIEF OF POLICE: No.

MR. TIECHE: With regard to the zoning report, if you know, I look down at the valuation number and I've got a number in there that's 3 million, then 22 million, then the valuation year to date is only 18 million dollars. If you look at the report, single family is 3 million, then commercial addition is 22 million. You get to the bottom of the page and it's 18 million as the total.

CHIEF OF POLICE: Retirement mode. (Laughter)

CLERK: I'll have to get the calculator out. We'll look into it.

MR. TIECHE: Thank you.

MRS. OLIVER: Next we'll move to our city manager. I know he just began. The Police Chief was pulling double duty. I'll refer to both of you.

MR. D'APOLITO: I just want to take the opportunity, first of all, I'm just inside 72 hours now of officially the city manager. I attended several board meetings already. This is my first council meeting, officially. I just want to take the opportunity, one to thank former council, last years council, I appreciate so much, you guys bringing me, trusting me, giving me your vote of confidence. I appreciate that. I will not disappoint any of you. I have a great relationship with two members that I've know for a long time and look forward to working with you. Thank you, to all of you. A special thank you to the Mayor for getting the ball rolling. I appreciate this opportunity. Finally, thanks to the Chief who has been incredibly helpful, a great guy, a great resource. Thank you.

CHIEF OF POLICE: If I can share this, it's kind of funny. His first question after the Parks Board Meeting was, who controls the music. This is all new. We were trying to make it happen and we made it happen. One night I fell asleep. I would turn it off at 9:00pm. We didn't have the technology to have it on a timer. Once we get the fiber there, we'll have a PC down there and we'll be able to do whatever we want. But I fell asleep, woke up around 11-12:30pm. I saw it was still on.

MR. D'APOLITIO: A few neighbors complained to the board. I asked the Chief about it.

CHIEF OF POLICE: I cracked up because I remember the night. I never fall asleep that early.

MR. D'APOLITO: There was a call from W. Main Street to the board, so I asked the Chief about it.

CHIEF OF POLICE: I cracked up, because I remember the night. I never fall asleep that early.

MRS. OLIVER: Our City Attorney, any report?

ATTY. FORTUNATO: No report.

MRS. OLIVER: Any questions or concerns from council regarding the reports? Hearing none. Residents, any questions?

MR. MICCHIA: Frank Micchia, 220 Glenview. This construction project on Glenview is going to be a big disappointment to all the speeders that come down the street. John can you extend it for about a year. (Laughter)

CHIEF OF POLICE: We can put up signs saying, speed humps being installed.

MR. MICCHIA: It would be a good time to put a speed table in. The township has put a couple on Tyler Blvd. You guys should take a look at it. We can watch and see how it does during the winter.

MR. TIECHE: Where?

CHIEF OF POLICE: Tyler.

MR. TIECHE: Okay, thank you.

MR. MICCHIA: Lastly, I observed an officer checking a home in my neighborhood of a person who is away. Good job. Thank you.

MRS. OLIVER: Thank you. Anybody else?

Under RECOGNITION OF PERSONS DESIRING TO APPEAR BEFORE COUNCIL:

KATHY CAIN: Kathy Cain, I live on Bradford. I'm not sure who to direct the question to. Mr. D'Apolito is brand-new. It's concerning the sewer project. I spoke with a gentleman, probably a week and a half ago, from the Yarian Construction Company. He was out in front of my house with a bunch of papers, we were talking and I said, where is this whole thing going to start? Up

the street? Where is it going to begin? Long story short, he told me it was going to start at 385. My question is, if we're putting in brand new sewer line, why is not the whole street going to get this line? Why is it going to start 7 houses from the top of the street and then run all the way down to the other end of the street?

PUBLIC WORKS SUPERINTENDENT: That would be a question for the engineer's. I can try to get those answers for you.

KATHY CAIN: Also, I would like to know, there is a catch basin in front of my house and directly across the street, since this project is going to get done, I think now would be a good time to fix them both. They're both caving into the road. There is maybe this much space by this much space for water to run into them. I keep my side open during the winter. I clear the leaves all the time. I shovel snow away from it, so water can run into it. But I think this would be a good time to have those fixed.

PUBLIC WORKS SUPERINTENDENT: I'll look at the plans. It may even be part of this project.

KATHY CAIN: Okay, because when I was talking to the gentleman, he had his papers with him and he said it was going to start at 385 and run down. So, they're going to be skipping the first 6 houses on the street. I was just kind of wondering why that would be? Two are on Briarcliff, it starts in the middle of the road and they went to the cul-de-sac, so why do those beginning houses get skipped? I didn't understand that either.

PUBLIC WORKS SUPERINTENDENT: I'll try to get an answer for you.

KATHY CAIN: Thank you. I appreciate it.

MRS. OLIVER: Anybody else desire to appear before council? Hearing none.

CHIEF OF POLICE: Mrs. Cain, would you like John to report back to you at a council meeting or contact you directly?

KATHY CAIN: Either way.

PUBLIC WORKS SUPERINTENDENT: You have an email?

KATHY CAIN: Yes.

Under **OLD BUSINESS**, we have none.

Under **NEW BUSINESS**:

ITEM A: An Ordinance Authorizing Change Order Number 2 for Lindy Paving, Inc and to Declare said Ordinance an Emergency (2023 Road Resurfacing Project).

MRS. OLIVER: 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.

MRS. OLIVER: 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. DRAGISH: Second.

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

MR. TIECHE: Madam President, I have an Ordinance Authorizing Change Order Number 2 for Lindy Paving, Inc and to Declare said Ordinance an Emergency (2023 Road Resurfacing Project). I move for passage.

MR. NEFF: Second.

MRS. OLIVER: Discussion?

ATTY. FORTUNATO: The reason this is an emergency, I want to get it on the record, this would apply to A & B, I assume.

FINANCE DIRECTOR: Correct. So, that I can pay their final payments on both of them.

DAVID D'APOLITO: The second one is an overage, correct?

FINANCE DIRECTOR: Yes. I just have to pay less.

MRS. OLIVER: Any other questions from council? Hearing none. Residents?

JOHN MORVAY: Hello, John Morvay, 7 willow Way, Canfield, Ohio.

ATTY. FORTUNATO: 3 minutes (Laughter).

JOHN MORVAY: This is Ordinance A, is it not?

COLLECTIVELY: Yes.

JOHN MORVAY: This is a change order of \$43,521.00, is that correct? We had a previous change of \$27,455.00. If you add those two together it's 18% of what the total cost. What was our exposure.

FINANCE DIRECTOR: It's that additional area on Janet Drive. They first thought they could do the one section that was failing but then even more of it was bad when they started working on it.

MR. DRAGISH: It kept crumbling and crumbling.

JOHN MORVAY: That was part of that \$27,000, too?

FINANCE DIRECTOR: Yes.

JOHN MORVAY: Thank you.

MRS. OLIVER: Thank you, John. Any other questions? Hearing none.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2024-01.

ITEM B: An Ordinance Authorizing Change Order Number 1 for Yarian Brothers Construction, Inc. and to Declare Said Ordinance an Emergency (Overbrook Storm Sewer Improvement Project).

MRS. OLIVER: 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.

MRS. OLIVER: 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. GRAHAM: Second.

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

MR. NEFF: Madam President, I have an Ordinance Authorizing Change Order Number 1 for Yarian Brothers Construction, Inc and to Declare Said Ordinance an Emergency (Overbrook Storm Sewer Improvement Project). We move for passage.

MR. TIECHE: Second.

MRS. OLIVER: Discussion? Questions? Hearing none?

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes
	Ordinance 2024-02.

ITEM C: A Resolution Consenting to the proposed annexation of 11.1315 acres of land as filed with the Mahoning County Commissioners by On Mark Communities, LLC, Agent for the Petitioners.

MRS. OLIVER: 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. DRAGISH: Second.

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

MRS. OLIVER: 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. TIECHE: Second

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. DRAGISH: Madam President, I have a Resolution Consenting to the proposed annexation of 11.1315 acres of land as filed with the Mahoning County Commissioners by On Mark Communities, LLC, Agent for the Petitioners. I move for passage.

MR. GRAHAM: Second.

MRS. OLIVER: Any questions or comments? Hearing none. Residents?

MR. MORVAY: John Morvay, 7 Willow Way. Is this Type 2?

ATTY. FORTUNATO: Type 2. Laurel Hills. So, this is for everybody's knowledge. When a petitioner asks the county commissioners through a petition to be annexed into the city, the city has two responsibilities. They have to consent to the annexation. They have to designating what services would apply to the area annexed. This item and the next item. This is a type 2 annexation.

MR. MORVAY: So, the township will get the property tax and we'll get the income tax.

ATTY. FORTUNATO: Correct.

MR. TIECHE: I have a question in regards to this. Is there any proposal as to the development or what the development is going to be there, if it's annexed?

ATTY. FORTUNATO: I haven't seen any proposal.

CHIEF OF POLICE: Probably about a year and a half ago, he met with us. It was smaller homes. That could change, that was a year and a half ago.

MR. TIECHE: But in that proposal was that a dead -end cul-de-sac then?

CHIEF OF POLICE: Yes.

MR. TIECHE: Did we take a look in any way at the effect on the extension of the water service, whether or not that's going to be a problem without additional expenditures?

CHIEF OF POLICE: No.

MR. TIECHE: Okay. Well, it's something to think about.

CHIEF OF POLICE: For sure.

ATTY. FORTUNATO: It's a pretty small area.

MR. DRAGISH: I will say, I have had a couple of residents from the street on Laurel Hills, reach out. I told them the same thing. We really don't have any information as of that point. We hadn't had any annexation on the table.

CHIEF OF POLICE: Probably around the same time, I did receive a call from a resident of Laurel Hills, strongly opposing. Again, recently, we hadn't heard anything until the last week or two.

MR. TIECHE: One of the other things that you might take a look at is, whether the fire district still has in place a regulation that says, something about the length of a dead-end street, in essence, it's a cul-de-sac. Service can end up being a potential problem.

MR. DRAGISH: Isn't that kind of like a double cul-de-sac? There is a cul-de-sac here and a cul-de-sac here.

MR. TIECHE: It's still one way in and one way out.

ATTY. FORTUNATO: We'll consider all of that certainly if it's a PUD or R-1 Zoning. We'll absolutely consider all of that.

MRS. OLIVER: Anyone else? Hearing none.

ROLL CALL ON RESOLUTION:

5 Votes-Yes

0 Votes-No

Resolution passes.

Resolution 2024-01.

ITEM D: A Resolution Designating Services Available to Lands Proposed for Annexation to the City.

MRS. OLIVER: 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. GRAHAM: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MRS. OLIVER: 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. NEFF: Second

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

MR. GRAHAM: I have a Resolution Designating Services Available to Lands Proposed for Annexation to the City. I move for passage.

MRS. OLIVER: Mark do you to add anything?

ATTY. FORTUNATO: No, this is part 2 of our obligation. This is designating services available. This advises the commissioners that upon annexation, they will get services from the city. They'll get all the services.

MR. NEFF: Second.

ROLL CALL ON RESOLUTION:	5 Votes-Yes
	0 Votes-No
	Resolution passes.
	Resolution 2024-02.

ITEM F: A Motion Appointing an Acting Manager.

MRS. OLIVER: 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. TIECHE: Second.

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

MR. TIECHE: I have a Motion appointing an Acting Manager. I move for passage.

MR. DRAGISH: Second.

MRS. OLIVER: Any questions or discussion? Hearing none.

ROLL CALL ON MOTION:

5 Votes-Yes
 0 Votes-No
 Motion passes.
 Motion 2024-02.

Under **COUNCIL COMMENTS:**

MR. TIECHE: I'd like to wish everybody a Happy New Year and Healthy New Year!

MR. NEFF: I want to thank John and Anthony again for all their service and positive results.

MR. DRAGISH: Happy New Year to everybody! Hopefully, you had a healthy and prosperous new year in the city. I'd also like to congratulate you on President of Council and Mark for being on Council. I'm looking forward to working with both of you. I'm really excited. As far as city manager's go, it looks nice having a full table. I can't wait until we get moving. I'm excited for Canfield and 2024.

MR. GRAHAM: I'm happy to be here. I wish everybody a Happy New Year! I'll work to get it right next time. (Laughter).

MRS. OLIVER: I had some notes. I did my best. I'd like to say, Happy New Year to everybody and your families. I'm very thankful and grateful for residents and the people who voted for me that have the confidence in being up here and for my fellow council members for electing me as their President. I won't let you down. The second time, I won't make any fumbles.

ATTY. FORTUNATO: I would like to say, from a legal standpoint, you did way better than our last President of Council. (Laughter).

MRS. OLIVER: I'd like to say thank you to John for being my mentor and teaching me so much. Do I have a motion to adjourn?

MR. TIECHE: Motion to adjourn.

MRS. OLIVER: We are adjourned.

 PRESIDENT OF COUNCIL

ATTEST:

 CLERK OF COUNCIL

