

AGENDA

CANFIELD CITY COUNCIL

February 21, 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.

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** Declaring Surplus Property and Authorizing its Disposal.

Description: The decorative clock that was on the Village Green was in deplorable condition and removed from the Green. We would like to declare it surplus and dispose of it.

Action Needed: Passage of this Ordinance

Attachment(s): Ordinance

Public Comments

B. A **Motion** Changing the Date of Council Meeting from June 19, 2024 at 5:30 P.M. to June 26, 2024 at 5:30 P.M.

Description: The second council meeting in June of 2024 falls on June 19th; which is Holiday. We are moving the meeting to the following Wednesday, June 26th at 5:30 P.M.

Action Needed: Passage of this Motion

Attachment(s): Motion

Public Comments.

12. Council Comments.

13. Adjournment

Introduced by: _____
First Reading: _____

ORDINANCE

AN ORDINANCE DECLARING SURPLUS PROPERTY
AND AUTHORIZING ITS DISPOSAL

WHEREAS, the City Manager has recommended that certain items are no longer needed by the City; and

WHEREAS, the item is obsolete and of no value; and

WHEREAS, Council desires to declare the following vehicle surplus and dispose of it.

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

Section 1: The following Item is hereby declared surplus:

Decorative Clock on the Village Green
--

Section 2: The City Manager is hereby authorized to dispose of the listed vehicle in accordance with the applicable City of Canfield Ordinances.

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 Ohio Revised Code.

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

Introduced by: _____

Motion No. _____

A MOTION CHANGING THE DATE OF
COUNCIL MEETING FROM JUNE 19,2024 AT
5:30PM TO JUNE 26, 2024 AT 5:30 P.M.

WHEREAS, the Council desires to establish a different date for the second regularly scheduled council meeting in June of 2024; and

WHEREAS, the council wishes the council meeting to be held on June 26, 2024 at 5:30 P.M.

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

Section 1: The second regularly scheduled council meeting in June of 2024 will be held on June 26, 2024 at 5:30 P.M.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2024.

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

MINUTES

CANFIELD CITY COUNCIL
REGULAR MEETING
FEBRUARY 7, 2024-5:30 P.M.

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

Absent: Mr. Tieche.

Staff present: Charles Colucci, Chief of Police; Christine Stack-Clayton, Finance Director; Jodi Flinn, Zoning Inspector and John Rapp, Public Works Superintendent.

Under **PROCLAMATIONS & PRESENTATIONS:**

MR. DRAGISH: We have a presentation from Lex Calder.

LEX CALDER: I was not expecting this big of an audience here. I was going to update you guys on the project that I have been working on with various townships and cities around here, about the local bike vision plan that I've come up with. You guys gave me the ability to go out to Utah last year and I went to the IMBA Trail Foundations, is the name of the it. It's basically to help people learn to work with communities and develop a network of bike trails. You may know, we have one put in last year at Fair Park. It's a small pump track that is available to anyone. I know that several people have gone there recently. Mark said, his grandkids go there. So, this is the overhead view of it, of where we are right now. It's a small pump track. My two-year-old goes on it. We got BMX guys out there doing tricks, too. It's a nice beginner level. Once you get good you can learn more about it. Obviously, during COVID biking increased greatly across the country. Sales were up 200%, there was a 6 to 8-month lag on new bikes. They couldn't make them fast enough. The demand has stabilized but the actual sport has steadily increased all across the area. More and more areas have developed these types of parks. I'll show you late on the map as to why. This is one of the reasons, you have such a different array of technology and bikes available for people to use. You have different age groups that really couldn't get on a bike path and go 15 or 17 miles but E Bikes it allows them to do that. Mountain bike technology is incredible now. It's so much better than when I was a kid. It makes you better and safer as a rider. The carbon fiber has increased the ability to go faster, longer. Right now, you can see, we already did this with some money from ODNR. We had participation from the city, they helped give us money for that. Chief Colucci was clutched in doing that as City Manager because he kind of left in the middle of it. Patty really helped. We got this thing done in this particular area; which is our local (inaudible) that we can point to. More and more cities are building this in, whether it's from the beginning where you build a park, the cities design is actually incorporated with it's own separate bike lane. In LA, different cities have different rules. In LA, you can drive on the sidewalk. In NY you cannot. But

everywhere in NY has these dedicated bike paths or shared lanes. Completely separate or on the actual road itself. Safety is always a concern. Through collaboration, I feel that we can get more built in this area. We already have Mill Creek Bikeway. The place I'm looking at, we can connect to the bikeway directly. People already on bikes can go to a different facility made for biking. There are small ones for kids, these are bike playgrounds. Then there are crazy pump tracks, that you'll see in Cleveland and Akron. This is a local map. All of those red dots are outdoor bike trails. That doesn't even include the individual bike parks or the different types of pump tracks that are out there as well. What we care about, this is who I've talked to. I got a buy in from everyone except from Poland so far. I'm going to shame them. When everyone else has one, they'll be like, I guess I have to. Plus, they already have trails that are available, so not really difficult but they're already there. Poland Township said they're interested in a skills park. Boardman Park already has 4 miles of trails, they're basically just for walking but you can bike. I'm working with them right now to make it more ADA compliant (inaudible) trips. Not just for biking, but hiking, people in wheelchairs, those that have altered mobilities, they can do these things as well. What I didn't know is, they have another place near Boardman Park called the Southern Park Stables, on Washington Blvd. He's like, I've been looking for something to do with this. We're looking a specific spot of land there to put something similar to what we have at Fair Park. You've got obviously Mill Creek, the farm, right now, I know that's out just because they just put in a really nice cross-country course. We already have Fair Park done. Sawmill Creek is a small section of the parking.; It's adjacent to the bike trail. We're working with them. I've already spoken with Mill Creek and they really want to get something in there. So, there is definitely the ability, we've got some nice elevational changes along the ridge lines, you can do some drop-in lines and fun movements, along with the ability to just have a regular loop. Finally, Austintown, they're interested in it as well. If we can get some buy-in's from other land managers, we can also connect directly to the bike path. I just wanted to give you guys an update. These are the things that I'm working on based on the seed that you guys gave us. I really think it's going the right way. Everyone so far is like, we never even thought about that. They're like, I can see it fitting right here. So, that's what I was going for.

MRS. OLIVER: Thank you, Lex.

MR. DRAGISH: Thanks Lex.

Under **MINUTES**, the MINUTES of the Regular Meeting on January 17, 2024 and the MINUTES of the Public Hearing on January 17, 2024 were approved as presented.

Under **READING OF COMMUNICATIONS:**

MRS. OLIVER: Does anybody have any communications?

MRS. OLIVER: I had a resident reach out to me regarding our clock that was removed from the Green. He is interested in purchasing it. I also had a resident reach out asking about the lock box program with the fire department, wondering if that was still going on. I directed them to

the right place. I also had today, at the end of my street, they were blocking it with a big construction sign, so I couldn't see to get out. When I got out, I kindly asked the gentleman to move it out of the vision of our residents, so that they could see and not get into an accident; which they did. So, that was nice. That's all I have for communications. Anybody else? Hearing none. Let's move on reports.

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

MRS. OLIVER: Mayor.

MR. DRAGISH: I have none.

MRS. OLIVER: Our City Manager, Mr. D'Apolito.

MR. D'APOLITO: You're going to be holding budget hearings with the department heads, next week. We will have a hearing on those on March 6th and on March 20th it will be presented to council.

MRS. OLIVER: I'm going to go back a little bit. Bruce do you have anything?

MR. NEFF: No. I'll have Jodi help me with that. I do want to report on the JEDD. I sit on the Millennial Moments JEDD Committee. We had a tragic member succumb to a heart attack. That was Jim Mariotti. He's been in the community for a long time, very instrumental in participating in the movement. Joe Russo is replacing Jim. We got an update on what's going on but things are going very well at Millennial Moments.

MRS. OLIVER: Thank you. Jim Mariotti was someone who I knew personally as well. Mark, anything from Design Review?

MR. GRAHAM: Yes. We met last night, February 6th. There were 4 items on the agenda. The first was approval of signage for 427 E. Main Street; which is the Colonial Plaza. The signage conformed to zoning requirements for a new tenant there, Music & Art. The other was for the demolition of 410 & 420 W. Main Street, that was approved. The other item was a window replacement, 2 bays for a tenant in the Hilltop Plaza. That was also approved.

MRS. OLIVER: Thank you. I sit on the Fire Board and I had my first Fire Board Meeting at the end of January. For January the total calls were 249, total EMS was 141, total transports was 119, there were 2 fires, one on Indian Run Drive (kitchen fire about \$1,500) and one on S. Palmyra Road (kitchen about \$10,000). I'm aware that representatives from our firefighters union are present this evening. We'll hear from them, so welcome. Welcome to our residents that are here in regards to the annexation at Laurel Hills. Since I went a little backwards, let's go back to our finance director.

FINANCE DIRECTOR: The website now has the link for taxpayers to E-File their 2023 city income tax. Taxpayers can utilize the E-Filing website the current year tax return, check the estimates that they've paid and upload digital copies of their tax documents for current and prior years. Payments can be made also, either by credit card or ACH Payment and there is a convenience fee to pay by credit card.

MRS. OLIVER: Our Chief of Police, Chuck Colucci.

CHIEF OF POLICE: Thank you. Last night, our local American Legion here in Canfield, every year they give out awards to our first responders, they gave out awards to a State Highway Patrol Trooper, a Canfield Fire Fighter (Matt Rarick), a Mahoning County Sheriff's Deputy, they also gave two awards to two of our police officers, one being Corey Kougher. Corey has been with our department for 2 or 3 years now. He received an award for, I guess, just being Corey. He's an amazing officer. He's an amazing young man. When he first started with us, he's young, he faced some adversities and training and getting used to this community but he has overcome it all and he's done it because he's has built this incredible relationship with our community, our businesses and the people that he works with. He loves serving the community. He's going to be a tremendous asset for a long time. This is his career, he wants to be here. He led the patrol division in arrests as a second- or third-year officer. He's so conscientious. When we hire people, we do everything that we can to make sure they're the best fit for you, our community. He certainly fits that bill and well-deserving of that award and it was an honor to stand next to him last night. Also, receiving an award from the American Legion was Officer Ellie Davidson. Ellie is a first-year officer. She made a traffic stop last fall. She noticed some odd activity from two brand new Dodge Hell Cats a brand-new BMW and an older Honda and they were traveling together. They went back in the neighborhoods behind McDonald's. They caught her eye and she stayed with the vehicles. They meant to get on Route 11 to go north and they missed the entrance and she followed them, she stopped the Honda. To make a long story short, this vehicle was the get-a-way driver, the drop-off driver, these vehicles were all stolen from a Dodge Dealership in Boardman. Judge heard about this in talking. This was a multiple state, multi-jurisdictional theft auto ring. She was able to identify this driver. We didn't have probable cause to detain her any longer but we identified her, we knew who she was. Her stories didn't make any sense. Through interrogations it was our interviews with her that identified the people involved and break up this car theft ring. Very observant for a first year officer. She's excellent. When she goes into the schools, when she goes on calls, I can't tell you how many compliments I get. Sensitive domestic violence calls, we get calls how she calms the kids down, how she calms the spouse down. Someone that I'm proud to work with. Somebody that we (council) and us up here, we're proud to give to our community as a new police officer. So, she won that award. I'm super proud of both of those officers. They're committed to this community.

Our detective division is working on two open burglary's right now. We had a burglary on Southview and one on Bradford. Without getting into any of the details because it's a wide-open case, we have guys out on surveillance as we speak, we're going to solve this, I know it. I'll give you this much, everything came back down to one thing that we talk about all the time

and that's make sure you lock your cars and lock your homes. I know we live in Canfield and it's safe, we do everything to keep it that way. I would highly suggest locking your cars and locking your homes. None of our burglaries have been forced entries, they've all been crimes of opportunity because the cars were unlocked and the homes were unlocked. Even if you're in your house, I'd shut your garage door. You just don't know who is out there. Our detectives will solve this. We'll do everything we can to keep you guys safe but help us out by shutting your doors, locking your house.

Finally, I think he'd be lost in this crowd tonight but we're missing a member that is always here, Frank Micchia. I spoke to the family, Frank had a fall a week ago and he ended up getting life-flighted, intensive care. I'm not getting into details of his injury but it's pretty significant injury. I know this guy is a trooper, he'll be back. It's funny, when he started coming here, I won't say his target was the police department but he wanted speed humps on his street. He cares about the community and the traffic. He really came at us pretty hard. I ended up being very good friends with this guy 10 years later. He's a great person. He's honest. He's labeled as a watchdog but he's got great intentions. A quick prayer for Frank. I wish him the best of luck. I can't wait until he gets out. I want to see him back in here again. Thank you.

MRS. OLIVER: Thank you, Chief. They do that lifetime achievement award on TV, we should have one for Frank for all the meetings that he comes to. I would like to commend our 911 dispatch center. About a week ago, I think the officer is in the room that came to my house. So, I have a new Apple Watch with a new update. I didn't have the charger available, so I didn't want to it to go dead, so I went to power it down and it turns out it doesn't power down the same way, it's actually calling 9-1-1. I thought I cancelled it. My husband Sam says to me, they're going to be calling you. I said, no, I cancelled it. The phone rings, I let them know everything was okay, we hang up the phone. He said, you know they're going to come to the door now. We were upstairs and ready for bed. Sure enough, they're at the door. I would say the response time was within two minutes. So, I feel we are very blessed having our dispatch center right here in our community. It makes me feel a lot safer. I explained that to our teenage daughter, that she should feel pretty good if she has to call 9-1-1. I want to say, thank you.

CHIEF OF POLICE: Thank you. Just so you know, there is a city ordinance against misuse of 9-1-1. (Laughter)

MRS. OLIVER: I will never power off my watch again. Our Zoning Inspector, Mrs. Flinn.

ZONING INSPECTOR: I don't have anything to Report for Planning & Zoning. We do have a meeting tomorrow at 6:30 P.M. As far as the zoning office, we've had 6 permits so far this year, for a total valuation of \$55,374.00.

MRS. OLIVER: Patty do you have anything?

CLERK: Just a comment. Tree City Awards Ceremony is going to be April 23rd at the Pro Football Hall of Fame in Canton. There will be more details to come.

MRS. OLIVER: John Rapp, our Public Works Superintendent.

PUBLIC WORKS SUPERINTENDENT: We have crews on the water meter change-outs. Another crew right now is jetting and cleaning storm and sanitary lines. We try to do annual zones to just maintenance on those lines. We are also working on the budgetary items. Our meeting is next week. I would like to give you a heads-up. We're looking at the annual limb and stick pick-up, beginning the first week of April.

Zone 1: April 1st-April 5th

Zone 2: April 8th-April 12th

Zone 3: April 15th-19th

Zone 4: April 22nd-26th

We always do a final week after that in case we missed anybody. The notice will be posted on our website in the near future. That would be the week of April 29th-May 3rd. That's all I have.

ATTY. FORTUNATO: No report.

MRS. OLIVER: Thank you. Any questions from Council on the reports that we just heard? Hearing none. Residents any questions? Hearing none.

Under **RECOGNITION** OF PERSONS DESIRING TO APPEAR BEFORE COUNCIL:

MRS. OLIVER: Just so you know, we have a large crowd. We kindly ask that you limit your comments to 3 minutes.

MR. STEVE PLANEY: Steve Planey, I live on Neff Court. I've been there about 33 years. I've been selected by a large group of people to say that the Canfield residents are highly satisfied with their current fire and safety services and we're not interested in merging with anybody else. They feel they have everything to lose and nothing to gain. We're not interested in subsidizing Boardman. People choose to live in Canfield for a reason. The community has demonstrated a willingness to pay for high-level, police, fire and ambulance services. We pay an additional tax for police/fire and ambulance. The residents of Canfield have a sense of comfort and security in knowing that the services that they pay extra for are high-quality and available and until now, not in jeopardy. There has been some sort of mention that they are going to get more firefighters out of the deal, the residents of Canfield don't sense a lack of firefighting services. The service is quality and they don't really think that it can be improved upon. So, they kind of think, that this is basically some sort of creative deception. There is a difference of opinions when they see them at Giant Eagle and they see them at the schools but the one thing that everybody does agree on is, they're close. It takes like 4 minutes to drive from one side of

Canfield to the other. So, when they call the fire department and the truck shows up, the people don't really care if there are 2 guys on the truck or 4 guys or 8 guys, they just know that they are well-equipped, well-trained and they'll do the best that they can. When they call for the ambulance, they expect the ambulance to arrive expeditiously with qualified professional EMT's. They're not going to be able to answer quickly if they're at South Avenue and 224. What people don't really understand is, Boardman Township has 1.8 times as many residents, more stores, parking lot and shops. Canfield has 3 ambulances, Boardman has allocated maybe money for 2, maybe. So, they're going to answer twice as many calls with no quite as much personnel and somehow not disturb the services that the Canfield people are paying. Let's talk reimbursement. ODOT wants to redo that corridor from Market Street to Tiffany Blvd because it's high traffic volume in the State of Ohio, one of the top three, with the distinction of having the most injuries with accidents in the State of Ohio. The Highway Patrol will tell you that over 30% of the people in Mahoning County don't have car insurance. State mandated car insurance in Ohio only covers medical injury, liability and property damage. It does not cover ambulance services. So, all these calls that are going to be answered on 224, the auto accidents with injuries, the most in the state, are going to go unreimbursed. Guess who is going to pay for that? They're going to hold our services hostage and tell us that Canfield has to come up with more money in order to maintain or get back the services that they once had. It's basically, like I said, creative deception. Let Boardman stand alone for 2 years, provide the services that they think they want to provide. Then they can find out realistically what it's going to cost them. There will be hard data about the realistic cost and what kind of a deficits they're going to run. Lastly, the proponents of this plan, have been deceitful regarding the backing of their union, the employees here in Canfield. So, if they're deceitful about that, why wouldn't you be skeptical about anything else they're telling you or worse yet, everything they're not telling you. We didn't pass these fire and police levy's to have them syphoned off or given away. Thank you.

MRS. OLIVER: I think we have an excellent Fire Department. In fact, you gentlemen saved the life of my neighbor across the street. Thank you.

MR. D'APOLITO: Mrs. Oliver. Might I suggest, instead of going down the list, that we take the Fire Department issues first and then have people that want to address other issues?

MRS. OLIVER: Yes. It looks like the next person to speak regarding the fire department is Josh Grossman and he is the President of their union.

JOSHUA GROSSMAN: Good evening, Council. My name is Joshua Grossman. You may have saw my face on WFMJ. I was recently elected our Fire Union President. I was invited by Council Woman Christine Oliver to speak on the union's behalf. We all saw the media coverage that transpired about a week ago. We sent a letter to the fire board, on our Facebook page we voted as a union unanimously that we weren't for the potential merger with Boardman Township. What got passed out to you tonight was some of the hot-button topics that we think as a union. Our biggest concerns, one of them being the increase in call volume. Currently, right now, this past year, I think we ran close to 2,700=2,800 calls. With data that they pulled from Boardman Township, this year calls for service they had about 5,400 EMS calls and about

6,300 calls total. If you look at our call volume with close to 3,000 calls, we are getting busier, our population is aging and we love what we do, we love serving our residents. We see it as; the potential of our resources being pulled over there and taking away from what we're supposed to be providing over here. This is for you guys to review. This is all data pulled from our NFIRS reporting system. This is the system that we enter our reports in. This is all factual data and stuff that has been covered in our merger meetings. The comments that were made that we were for this, we just think that there is still a lot of work yet to be done. We forwarded our questions as a Local and none of them were really answered. That was why we weren't really for it. So, were still looking to get those questions answered. Speaking with Chief Hutchison within the next week, correct?

UNIDENTIFIED PERSON: Yes.

JOSHUA GROSSMAN: Getting those questions answered and ultimately providing the best service that we do now and still keeping that up to par. Any questions on what I've give you so far? There are some concerns about the staffing. To make this really work, obviously we have, I believe 25 full time people, correct?

UNIDENTIFIED PERSON: 26

JOSHUA GROSSMAN: 26, I'm sorry we just hired someone. So, 26 full time people. They're saying that our full staff would be 26, that's minimum manning. That's not counting for holidays, vacation days, stuff like that. It seems as though, meshing their employees and our employees together, we'll have 64. To make this all work, we would probably need more like 78 employees. We all know, if anyone owns a business, I personally do, finding people to work these days is very tough, especially the fire service when we cannot compete, as far as wages to Cleveland area. A lot of people are going elsewhere. That's a concern that we have. Again, we just want to provide the best services that we can to the City of Canfield/ Canfield Township. Thank you.

MRS. OLIVER: Anyone else wishing to speak on the Fire Department? Hearing none. Let's move on to the questions on the annexation. I have received many calls and emails. I also shared them with the city manager, police chief and our city attorney to help get those answers. First up, I have Karen Curtis.

KAREN CURTIS: My name is Karen Curtis, I live at 71 Laurel Hills Lane. Thank you for the opportunities to be able to address you this evening. I'm concerned about the property that I understand Bob Hallapy DBA On Mark Communities LLC, petitioning to have his property annexed into the city. Should you choose to annex the property, I fear that it's development will not comply with the integrity of the City of Canfield. When my husband Mark and I moved into the community in 1996, our house was the very first house that was built on Laurel Hills Lane. The Plat Map of the development had 24 lots, in what is called the subdivision of the Stonebridge Land Corporation. Upon signing our agreement to build, we were given a copy of the Declaration of Covenants and Restrictions of Laurel Hills Subdivision Number 1. I believe

Jackie passed that out to you. There were very stringent regulations that we were to follow. I want to point out that article III of that document pertaining to the restrictions. Section 2D states, no lot shall be used for any purpose except single family residential. In addition, general restrictions in section 1(b) says, lot owners must seek approval of the architectural control committee with respect to the style, design, materials, colors, height, location, etc. Looking into the duties of this control committee, I found this fact. The committee shall protect and preserve the value, appearance and use of property on which structures are built, to maintain a high character of community development to protect public health, safety and welfare and to protect real estate within the municipality from impairment or destruction of value. Therefore, if this property is and happens to be annexed into the city, I believe that there must be strict adherence to these declarations. Any further development adjacent to Laurel Hills and Savannah Court must remain single family dwellings and adhere to the rules of the architectural control committee. You, as officials of the city, as elected to represent all of us, the residents of this great community, please consider that if this were happening in your neighborhood, I believe that you would want to uphold the value and integrity of your property just as much as we do. Thank you.

MRS. OLIVER: Thank you. Jackie Stewart.

JACKIE STEWART: Good evening. Thank you for allowing us to be here today. My name is Jackie Stewart, I live on 151 Laurel Hills Lane. My husband and I moved back to the area, I grew up in Salem, and my husband is from Cleveland. We moved back to the area because we wanted to raise our family here. We spend a lot of time in the community talking about how we keep our kids in the Mahoning Valley. How do we find them jobs? I was one of those kids who couldn't wait to get out of here. I moved home. Moving home meant moving to Canfield. We didn't even look anywhere else. My husband and I moved to Canfield 15 years ago and we bought a home on Laurel Hills Lane. We bought a home on Laurel Hills Lane because it's quiet, there are wooded lots behind us and we have the bike trail. Not only did we buy one house on Laurel Hills Lane, we literally moved two houses down and bought another bigger house, we had another kid. As evidence by our neighbors that are here today, we love Canfield, specifically the City of Canfield. I will tell you, I proudly, personally supported our fire/police levies every single time they have come. You know why? Because of everything that you just heard. This is why people choose Canfield over Salem, over Poland. Another reason why they choose Canfield, I would like to think, is because of transparency in our Government; which I know you all hold. So, certainly it was concerning when the city council voted to expedite a Resolution to annex 11 acres off of Laurel Hills Lane. My question to you today is, did you know what the developer was planning to build? How were you able to vote on the annexation without knowing these things?

ATTY. FORTUNATO: I can answer that. Ohio Law requires the municipality to pass a Resolution when a property owner petitions the county to annex property into the municipality. The municipality has a very short period of time to pass a Resolution stating that if the property is annexed, the city will provide services, water, police, fire, etc. So, that's what the city did.

JACKIE STEWART: There were two Resolutions. Is that correct?

ATTY. FORTUNATO: No. That is the only Resolution the city would have passed.

JACKIE STEWART: There was not two Resolutions on your desk, one that provided for the services and one addressing the annexation itself?

ATTY. FORTUNATO: There was a second one in favor of adopting the Resolution.

JACKIE STEWART: But to be clear, there was a Resolution to consent that was unanimous.

ATTY. FORTUNATO: Then the services.

JACKIE STEWART: But the statute requires the city to provide for services but the statute does not require the annexation itself. The Resolution to actually consent. I'm just getting clarification.

ATTY. FORTUNATO: The statute doesn't require the city to do anything, if the City wants to have the property come into the city, then it adopts the Resolution stating that. The City has to say what services it will provide.

JACKIE STEWART: Understood. So, to be clear...

ATTY. FORTUNATO: I'm still answering your question.

JACKIE STEWART: Sure.

ATTY. FORTUNATO: In spite of that, we don't know what that development is going to look like. We don't have any knowledge of that. We never do. If the property is annexed, it's annexed subject to our zoning code. We zone it. At public hearings we decide what that zoning classification is going to be. That developer has to live with our zoning.

JACKIE STEWART: Understood. Thank you for that clarification. So, I'm clear, the vote that was made, was made to annex but you did not know the development plans.

ATTY. FORTUNATO: We usually don't.

JACKIE STEWART: But you did have the authority to not consent to the annexation, is that correct?

ATTY. FORTUNATO: Sure.

JACKIE STEWART: So, as you know the County Commissioner's have since rejected the annexation; which means they will have to refile. So, when that is refiled, it's our understanding that the city council would then have to make the determination, yet again.

ATTY. FORTUNATO: Correct.

JACKIE STEWART: Okay.

ATTY. FORTUNATO: Those prior Resolutions don't stand.

JACKIE STEWART: What we're asking today is, can you guarantee that this prior to a vote on annexation, that this development would be subject to the same requirements that our current neighborhood is zoned?

ATTY. FORTUNATO: I don't think we have that authority. Council can do whatever you want.

JACKIE STEWART: We would just ask that you would consider that.

MR. DRAGISH: Sure, understand at the time, it's just for annexation.

ATTY. FORTUNATO: These are deed restrictions. The city has nothing to do with deed restrictions in any development. Deed restrictions are private agreements between the developer, the HOA, some associations and the homeowner's themselves. The City has nothing to do with the enforcement of these at all. The city would never require anything relative to this.

JACKIE STEWART: Could they be considered before another vote it taken, should there be a refile?

ATTY. FORTUNATO: Would these be considered? These would not be considered.

JACKIE STEWART: With regard to the question of, should the city choose to annex, you will have that authority, should the petitioner refile. I would simply ask that you not do that. It is our understanding that the petitioner is not interested in a development that would be consistent with our neighborhood. I will tell you, my husband and I will absolutely be looking for other homes. As I said, we moved back to the Mahoning Valley to raise our family in Canfield, the City of Canfield, where we did because we like where we live. We ask that you hear our concerns and please consider them. Thank you.

MRS. OLIVER: Thank you. John Stewart.

MR. STEWART: Hi, I'm John Stewart, I live at 151 Laurel Hills Lane. My wife stole some of my talking points. I'll just reiterate that we really love our neighborhood. I think you can tell from all the residents of Laurel Hills and Savannah, that they feel the same way. We feel that we live

in the best neighborhood in Canfield. Our neighborhood is what Canfield is all about. It's a nice quiet neighborhood, no outlet. Very few cars come down our street that aren't residents. We have a lot of children that can run around and play. As my wife stated, we've lived in the neighborhood for 15 years, we liked it so much, when we needed a larger house, we moved 2 doors down. We didn't want to leave the neighborhood. Many residents of the community have lived there for well-over 20 years, paying taxes to the city and the county. It's really just what a neighborhood is supposed to be about. Everyone is friendly. In a crazy changing world, I feel like we have a piece of that old America that everyone talks about. We feel that any development that occurs on the planned property, will diminish the value of our neighborhood. It will diminish the quality of the neighborhood, it will diminish the property values, it will diminish the aesthetics of the neighborhood. It will impact the cohesiveness of the neighborhood that we currently have. Obviously, we're all concerned about it. I feel that, you're under no obligation to annex this property, as we've already clarified. This developer has no God given right to be able to develop this property, unless you grant it to him. There is plenty of land all over Canfield that can be developed, that would not impact an existing neighborhood, to the extent that this will. Like I state, we have a No Outlet, there is only one way in and one way out. There are safety concerns with that. In fact, I think there is already a fire code resolution on the books regarding the number of homes that can have one way in and one way out. We already exceed the number of homes. We have young children, many of our neighbors do as well, we don't want to raise them in a construction zone for the next 10 years, with trucks driving up and down the street. With the pace of the way construction project go around this area, this is a project that will last many, many years, most likely. I humbly request that you deny any request to annex the property in question. Thank you.

MR. D'APOLITO: I've spoken with you and your wife on the phone, quite a bit. We've had a few conversations, a half hour or so, if Council and I'm not speaking for Council in any way, but understand it's not a vote for or against the development. Even if the property isn't annexed, that would not necessarily stop the development. It would just be done in township property vs city property.

MR. STEWART: We believe that it would be significantly more challenging to develop it, if it were not annexed.

MR. D'APOLITO: That may be. But you understand that it could happen. We all talked about that.

MR. STEWART: It could happen but it's far more likely should it be annexed.

UNIDENTIFIED WOMAN: Is it zoned already?

MR. D'APOLITO: It's township property. We have no authority over that property whatsoever.

UNIDENTIFIED WOMAN: Than don't annex it.

ATTY. FORTUNATO: The recording can't pick this up. If you want to make comments you have to get up there and state your name and address.

PATTI BILLEC: I'm Patti Billec, I live on 70 Laurel Hills. I'd like to know if that property is zoned already.

ATTY. FORTUNATO: I'm sure it's zoned by the township.

PATTI BILLEC: I don't know how it works.

ATTY. FORTUNATO: I'm giving you the answer. It's not zoned by the city because it's not part of the city. The township can tell you how it's zoned.

MRS. OLIVER: I have checked into the questions I was asked as well. There is a little over 11 acres. The way it stands with the township, he could build 11 homes because you have to have one acre for your septic, so he absolutely could. I found out from our fire department that you guys are grandfathers in, the number of houses. That is why you have more houses than you're speaking of. But also, I found out from the fire department that yes, they could have another access road but also they could get around that, the builder by having the houses put sprinklers in. So, I have been checking into every question you have asked me. I want you to know, I have been doing my homework for you, as you have asked the questions. I completely understand what all of you are saying, we all hear you, but we don't have control over it at this point, because it's not in the city. It is under whatever zoning they have in the township. That's where it stands at this moment. We want you to know that.

PATTI BILLEC: Just so I understand it, if you did annex it into the city, would you have ownership of how it's zoned?

MRS. OLIVER: Absolutely.

MR. D'APOLITO: You're probably better off with it being inside the city.

MR. STEWART: To be clear, we do not want it annexed.

PATTI BILLEC: No, we don't want it annexed. I just want to understand it.

MRS. OLIVER: What you asked is, yes it would be under ours. Now, I don't know how it's zoned in the township. It could be zoned where they could put duplexes that you guys are adamantly against. I don't know that because this is the city and that's the township. As you know, in the township and I heard it's already happening, they can shoot firearms on that property in your backyard. In the city, it's strictly forbidden. There are some other things to consider. I just want you to know, we've been getting every answer for you that we can. We don't have any control over it because it is township property. I do understand. Believe me I do.

PATTI BILLEC: Thank you.

MRS. OLIVER: Robert Gerst.

MR. GERST: Good evening, thank you for an opportunity to speak tonight.

MRS. OLIVER: Please state your name and address.

MR. GERST: Robert Gerst, I live at 181 Laurel Hills Lane. Some concerns that I have, currently our street is in pretty poor shape. If you've driven down there, it's buckling, it's coming apart. I don't foresee the city would want to pave it and then have a construction project that goes for 5 years. A cement mixer full is 80,000 pounds. Each house would have 5 or 6 cement mixers coming in, footers, basements, garages, etc. I foresee that we'd be on a dirt road in 5 years. Would there be an agreement with the contractor to repair the road? Would that be something that you would consider?

ATTY. FORTUNATO: It would be something to consider. I'm not sure we can do that but I think it would be a matter to consider. The developer always has to post bonds, construction bonds, maintenance bonds, etc. What you're asking for is a little different than that but we can certainly consider that.

MR. GERST: Also, under a Type 2 annexation, if I'm not mistaken, Mr. Pepperney and I are adjacent to the said property, my understanding is, we should have been notified by certified mail that there was going to be an annexation. The rest of the street should have been notified by simple mail. That never happened. I would think if you're a reputable developer, you would know that you would need to do that. So, why did he forego letting us know that he's annexing with no public hearing.

ATTY. FORTUNATO: That's an issue to take up with the commissioner's. If it happens again in the next petition, I would take it up with the commissioner's.

MR. GERST: Okay. Thank you for your time.

MRS. OLIVER: I did ask that question to our city manager.

MR. D'APOLITO: I reviewed the petition and according to the petition, Mr. Gerst was notified by certified mail,

MR. GERST: No.

MR. D'APOLITO: I'm just saying, according to the petition. Mr. Pepperney, Mill Creek Metropolitan Park District, Nicholas and Somer Ulicney, and John and Sandra Ulicney. Those are the adjoining properties. According to their petition, they did do that. Whether it was actually done or not, I can't tell you.

MANY PEOPLE TALKING AT ONCE.

MR. D'APOLITO: That would go to the petitioners, not the city.

UNIDENTIFIED MAN: So, we should be able to find it.

ATTY. FORTUNATO: Through the County.

MR. D'APOLITO: The City wouldn't have anything to do with that.

MRS. OLIVER: If you would like to speak, we have to have you come up to the podium. I have Christine Gerst on my list. Please state your name and address for the record.

CHRISTINE GERST: Good evening, my name is Christine Gerst. I'm a resident of 181 Laurel Hills Lane. Thank you for having us here this evening. As we've all expressed our concern over the annexation, some of my concerns that haven't been stated yet, are related to the owner, who by virtue of granting annexation becomes a City of Canfield property owner and neighbor. I guess I would ask the council to take into consideration, is this going to be a good neighbor for us? Is this something that we want to be part of the city, based on a number of factors? One we just talked about, the representation that he notified us by certified mail; which he did not. Whether that oversight was just an oversight or intentional. That is something I would question. Something as simple as following that protocol. What do we open the door too, if this property is to be annexed and developed? They wouldn't seek annexation and services if they weren't intending to develop it. We don't know the nature of the project. I understand Atty. Fortunato your point is that's part of zoning and that's been brought up before, zoning is really the discussion for the type of property. Just by virtue of granting that annexation, we're already opening the door to allow this developer to develop property. The owner On Mark Communities, LLC has had history in the City of Powell where there was an attempt to develop property with many more homes than was expected or permitted for the size of the acreage, that was part of public records, not just hearsay, it was in city council minutes, it was in the Columbus Dispatch and that to me doesn't sound like a good neighbor. It doesn't feel like somebody that fits into the City of Canfield and our vision and history of Canfield. I would ask you to consider that. On January 23rd, at about 10:00 p.m., I called the City of Canfield police because there were trucks and heavy equipment on my street, in front of my house, which is in the City and there had been dumping on the property. The landowner allowed dumping to occur for several hours throughout that day. A truck got stuck and it got stuck repeatedly. It was pulled out but again but again came back and got stuck again. At 10:00 p.m., there was heavy equipment on my street, making noise and trying to pull out the trailer that got stuck in the retention pond. The owner granted these individuals the ability to dump and the township has since posted a sign. I would ask again, is this a good neighbor that is going to use this property for dumping and send equipment out with really no regard to the residents on Laurel Hills and Savannah Court. These are very small things that should be taken into consideration because by virtue of granting the annexation you're making this owner a neighbor to us and part of the City. Do we really want to open the door to that? I would also expect that is this

behavior is consistent and continues with the development, protocol isn't followed, it really gives a black-eye on the City of Canfield, knowing that we moved forward with this annexation with what we know so far and what we've seen currently. I would ask you to consider all of that. I thank you very much for allowing us to be here this evening.

MRS. OLIVER: Kathy Cain.

KATHY CAIN: I'm not part of the annexation.

MRS. OLIVER: I was going to say, this looks like it is about something different.

KATHY CAIN: Do you want me to wait?

MRS. OLIVER: Yes, we'll have the annexation finish up first.

MRS. OLIVER: I appreciate all of you telling us how you feel. That's what council is for. Like I said, we can't possibly know what you think or how you feel, if you don't tell us. We appreciate hearing from you. I have Bob Calvert on the list.

BOB CALVERT: Hi, my name is Bob Calvert, I live at 21 Savannah Court. One of the issues I wanted to address is the project in Powell, Ohio. It's public knowledge that the developer had plans to put in multi-family condominiums and due to the pressure of the residents, he decided to switch gears. That is something that I just want to get out there and put on record. Due to residents concerns he did have to change the scope of his project. The other thing I wanted to ask, I guess collectively we've heard a number of different stories about this particular developer. Sometimes it's hard to sort through what's the truth and what's not the truth. The vast majority of the stories that we've heard have been negative. So, my question is, is council aware of any prior issues with this developer building in Canfield?

COLLECTIVELY: No. Never heard of him.

BOB CALVERT: Okay, thank you.

MRS. OLIVER: I hope I pronounce this properly. I forwarded your email on to our City Manager and our City Attorney. I appreciate the email. Chris Vecchione.

MR. VECCHIONE: Chris Vecchione, 131 Laurel Hills Lane. I've been a member of the Canfield Community, just over 8 years now. As we've all expressed, it's been a wonderful experience, especially our little road, our slice of paradise. I have two young kids that play with the Stewart's kids. Many of our kids in the neighborhood, they're active. I know Chief, you said keep your garage door shut, that's not common in our neighborhood. It's because we care about the safety of our kids. We want to be able to see them playing outside because they do play outside. I think that bring the point I want to make; the main concern is the safety of my children. As some folks have mentioned here, this project may take years. So, I'm going to

have to raise an 8-year-old and a 6-year-old for 10 years of trucks going up and down my road, dirt road and all the noise and everything back there. That's concerning. We just had another issue brought up about dumping. That's upsetting. That's more than concerning. You just came to our neighborhood and decided to litter your trash from somewhere else, I'll call tree brush and piles of wood trash, 6 piles that the Gerst's and Calvert's have to look at. You just littered in our neighborhood, what is that. Somebody should be held accountable for that. In fact, somebody should be forced to go and remove what they dumped in that neighborhood. I would ask the fire personnel, is that a fire hazard? To dump piles of wood right next to each other. There are a lot trees back there. There is a lot of land. That's Mill Creek Park's land. A lot of this land was given to Mill Creek Park. I think that was our understanding when we moved in that that was all Brook's Preserve. It was donated to Mill Creek Park to be a Preserve, an area of protecting beautiful land. That's great. We'll things have changed, haven't they? Not only have things changes but things have changed without the public being involved. Furthermore, I understand that you do have the decision to annex or not to annex, but I think that our due diligence as Council, the City, residents, of that street, that we should have the opportunity to interact with the builder. The fact that there are many unknowns at this point. There is a slight distrust, as you've heard about the gentleman who is coming in to possibly develop this. I sent an email to you folks, some questions that you said you have answered, I haven't seen the answer to those questions. I don't know how Sawmill Creek is going to factor in. I know I have street water, right in front of my house, that runs into Sawmill Creek. That was all approved years ago. Sawmill Creek, I believe is overseen by the Army Corp of Engineer's. Is that going to be the plan for this subdivision? First we were thinking 7 houses, now it could be 11 houses. There is just a lot of unknown's. I would encourage you folks not to consider annexation, until we've answered some of those questions. At least provide some assurance to us, community members who live on that street, who are going to have to put up with this for years. At least provide us with some answers and have us have the opportunity to ask the developer some questions. I would request a public forum be addressed and set- up particularly on this annexation before it is reconsidered. Thank you.

MRS. OLIVER: Attorney Fortunato, how does that work? I know normally public hearings follow a different pattern than that.

ATTY. FORTUNATO: If you want to have a special meeting, you can do something like that. You just have to notify the public at least 24 hours in advance. Notify the Vindicator, etc. You can have that meeting. You don't have to take any action at that meeting. You can ask the developer to set up a meeting. It doesn't have to be a city meeting.

MR. DRAGISH: It seems to me, where we stand, we don't have anything over the property because it's not our property. It seems to me, if you want to have a meeting and address a lot of these things, I think the issue is with the township, other than the annexation part of it. We're clear on where you guys stand. I think the other issue of the developer and land is the townships issue. It's not really ours.

MRS. OLIVER: I think the developer, what you guys are suggesting is a good idea. He should address us here, so that we can hear what he plans to do, that helps us with our decision.

MR. DRAGISH: Even if there wasn't an annexation, it would still affect you guys, as Canfield City residents.

MRS. OLIVER: We do not know what his plans are. As I understand, Mark and I just came on Council in January, this was happening before we were sitting here. From what I understand the developer approached Police Chief Colucci about a year and a half ago, about purchasing it. As I know of, to this day, he's never seen or heard any plans on what he plans to do. Is that correct?

CHIEF OF POLICE: Correct.

MRS. OLIVER: I know someone bought a lot at the end of our street and they didn't build on it for quite some time. We don't know, if he has other project.

MR. DRAGISH: In normal situations, especially with annexations, just like we annexed Red Gate property, that large piece of property, that's been our property for how long?

MR. D'APOLITO: 22 years.

MR. DRAGISH: And there is nothing happening there. I guess that's what I'm saying. For us to say, there is a piece of property, we as the city try to expand our spectrum. We look at a piece of property and say, we'd like to annex this, sure as a city we say yes, because that enables us to put our footprint further as the city.

ATTY. FORTUNATO: And to have the control.

MR. DRAGISH: And to have the control of that piece of property.

MR. VECCHIONE: How reckless is the township? Are they going to approve anything? My other question is, I understand, correct me if I'm wrong, the township opposed this annexation. Why?

ATTY. FORTUNATO: Townships generally oppose annexations to the municipality because they're losing the land. In a type 2 annexation, that's supposed to be a compromise where the property stays in the township for purposes of real estate tax collection but for whatever reason the township generally opposed annexation.

MR. VECCHION: So, they oppose it in general. Okay, Mr. D'Apolito, you confirm that this will be better for us. We don't see it that way, because we see it as putting the cart before the horse.

MR. D'APOLITO: My only point was, the city would have control. In the township it could be developed, the city would have no control. You're all city residents, I would think you would want it to comply with city zoning. That's all I'm saying.

MR. VECCHIONE: We would. I don't think the township has a law or regulations that would allow a new property owner to start dumping brush on his land. We understand that you would do that but the township, there has already been a few things that are upsetting.

MR. D'APOLITO: Chris, does that make my point? If the township allows it and the city doesn't, wouldn't you want it to be part of the city and not the township?

MR. VECCHIONE: Maybe, maybe not. Depending on how honest is the builder going to be with us. How honest is he going to be with you? I know when I bought my house from the gentleman that built it, he said, the city inspector, came and sat and watched them put in every pillar. I don't know if he's still with us but there were some tough regulations with that community. He told me how lucky we were to have our house built there. Will you guys guarantee us that those same regulations will be upheld and that same standard will be upheld? That's a tough question to answer because you haven't talked to the developer. We haven't either. Why can't we get him on record as far as saying, this is our intent and he meets the fire chief's regulations and all that. I'm still interested in knowing about Sawmill Creek, that goes into Meander. I don't know if the Army Corp of Engineer's needs to be contacted. I think there are a lot of questions, it's premature to just to go ahead and annex this land in without all the unknowns.

CHRISTINE GERST: I didn't use all of my 3 minutes, can I come back up?

MRS. OLIVER: I was just going to ask.

CHRISTINE GERST: Christine Gerst, 181 Laurel Hills Lane. I think a couple of things I want to address. One I forgot, I'm not sure we really focused on was the one way in and one way out. You say you don't know what the plans are for the property and you don't need to know to grant annexation, clearly we would expect it is for the purpose of development and clearly it's going to be more advantageous to the developer to be part of the city to do that. I know what you're saying, the city has control. However, we would expect that it's highly unlikely that the developer would be able to accomplish the development if they're part of the township because they're not going to have city sewer and water services. He would not be requesting annexation if he could easily accomplish the same development project in the township. The other thing, as part of that, the fire and safety, another concern that hasn't been brought up and we really haven't emphasized is there are other things besides fires that can happen. While sprinklers address fire safety, there are other types of emergencies that can happen. With already 47 homes on Laurel Hills and Savannah Court, one way in and one way out and now we're adding however many homes, we don't know to a street. Whatever type of emergency responder access do we need. Again, fire sprinklers are great in a fire situation but there are other emergencies that occur. That was the other thing I wanted to bring up. I would

ask that it be considered before the annexation could be granted. While you say you don't know what he's doing, we would fully expect it to be for the purpose of development. I think that there should be more information and more intentional with plans before that annexation is granted. Thank you.

MRS. OLIVER: Is there anybody that is not on my list that would like to speak?

KATHY CAIN: Kathy Cain, 405 Bradford. I'm with the fire department and I don't want to see no merger. I don't want my tax dollars going to Boardman to put out their fires or rescue their people. Let them do their own thing. That's how it is. We pay enough taxes in the city for the services that we get, they are excellent services, fire, police. To clarify with the Chief, the break-in on Bradford, it wasn't a forced entry? I live like 4 houses up the street across from there. I've heard 3 different versions of what happened.

CHIEF OF POLICE: No, not forced.

KATHY CAIN: I'm here about the storm sewer project. I was here the first meeting in January on the 3rd. I wanted to know why they're not bringing the pipe all the way down the street and they're stopping 6 houses from the end of the street.

PUBLIC WORKS SUPERINTENDENT: I can answer that.

KATHY CAIN: Okay, you were going to email me.

PUBLIC WORKS SUPERINTENDENT: I had a little piece of paper and unfortunately I lost that. I did come to your house the next day with no answer at the door. I stopped out front and inspected the storm drain and I found it in good working order.

KATHY CAIN: They're caving in to the street.

PUBLIC WORKS SUPERINTENDENT: I don't agree with that. I think it's in good working order but fortunately, I spoke with the engineer and I did get an answer for you. They had to stop somewhere, they just can't keep going. Where you're at, like the gravity goes one way by your house and then it goes the other way towards Briarcliff. So, you just missed that cut with the gravity direction. So, they're taking everything towards Glenview and piping that in so, unfortunately that just wasn't part of the project and it had to stop somewhere.

KATHY CAIN: They're putting in 30" pipes. How big is the pipe that is in front of my house? Which way is that water going to run? Is it going to run back to my house?

PUBLIC WORKS SUPERINTENDENT: It's already running.....

KATHY CAIN: Is it running towards where they're working at now?

PUBLIC WORKS SUPERINTENDENT: No, it isn't. It is not going that direction. That's why they're not replacing yours.

KATHY CAIN: Mine runs towards the swim club then.

PUBLIC WORKS SUPERINTENDENT: That is correct.

KATHY CAIN: So, part of it runs that way. I have water that constantly lays in front of my driveway. You talk about me being on this gravity whatever. I get what you're saying.

PUBLIC WORKS SUPERINTENDENT: I'm going to call it a hill, so it has to go one way and it has to go another way.

KATHY CAIN: Right.

PUBLIC WORKS SUPERINTENDENT: Yours goes the other way.

KATHY CAIN: Mine goes towards the swim club?

PUBLIC WORKS SUPERINTENDENT: Correct.

KATHY CAIN: Everybody else goes the other direction?

PUBLIC WORKS SUPERINTENDENT: Well, not everybody. It's just from that

KATHY CAIN: So, they're stopping two houses down the street from me. I talked to the guy from Yarian. If you have this 30" pipe that this water is going to be coming into, what size is it going to be coming into and is that going to be an issue, coming my way?

PUBLIC WORKS SUPERINTENDENT: It's not going your way. It's going the other direction.

KATHY CAIN: You just said everybody is not running the other direction.

PUBLIC WORKS SUPERINTENDENT: We can meet with you at another time. I'd be happy to get you with an engineer and set up some meeting.

KATHY CAIN: Well, you just told me everybody is not running the other direction. Water from some houses is going to run towards the swim club.

PUBLIC WORKS SUPERINTENDENT: It depends on if you're on the downhill from your house or on the uphill on the other side.

KATHY CAIN: Okay, that doesn't help me. Thank you.

MRS. OLIVER: Anybody else wish to address council? Hearing none.

MR. D'APOLITO: Mrs. Oliver, we can assure everybody here that we're not going to take any action on the fire department and certainly not any action on the annexation of Laurel Hills, I don't know if they wanted to stay for the rest of the meeting. They're all welcome to. But if they wanted to leave, would you excuse them, if they wanted to. The assurance is there would be no action taken on anything that you all care about tonight.

MRS. OLIVER: There is no action on the agenda regarding the fire department or annexation. Thank you, very much to all of you that came out.

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

Under **NEW BUSINESS**:

ITEM A: An Ordinance Amending Ordinance 1973-44 Rezoning A Portion of Lot 2988 at 445 W. Main Street from "M-1" Manufacturing to "B-2" General Commercial.

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:

4 Votes-Yes

0 Votes-No

Motion passes.

MR. NEFF: Madam President, I have An Ordinance Amending Ordinance 1973-44 Rezoning A Portion of Lot 2988 at 445 W. Main Street from "M-1" Manufacturing to "B-2" General Commercial. This constitutes first reading.

CLERK: There will be a public hearing set for March 20th at 5:20 P.M.

MR. NEFF: While we're on that, this is just a portion of the lot. It's the front retail, if you will.

ZONING INSPECTOR: When you look at the property, the front is a little brick building before it expands into kind of a warehouse/manufacturing.

MR. NEFF: The business there is Hometown Produce?

ATTY. FORTUNATO: No.

MR. NEFF: I'm wrong, sorry.

ATTY. FORTUNATO: Another issue that came up while this was being circulated was that this zoning district must be at least 5 acres. If you were establishing this zoning district with nothing around it and you had a 2-acre parcel, we could not even be where we're at tonight. We couldn't be prosecuting the change because there isn't enough acreage. In this instance, the area sought to be rezoned is certainly less than 5 acres but it is adjacent to other similarly zoned pieces that are cumulatively are in excess of 5 acres. That's how we satisfy that requirement.

ITEM B: A Resolution Requesting Advances on the Collection of Real Estate Taxes.

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:	4 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:	4 Votes-Yes
	0 Votes-No
	Motion passes.

MR. DRAGISH: Madam President, I have a Resolution Requesting Advances on the Collection of Real Estate Taxes. I move for passage.

MR. GRAHAM: Second.

MR. D'APOLITO: Mrs. Oliver, if you like, I can read an explanation regarding the Resolution.

MRS. OLIVER: Yes, please do.

MR. D'APOLITO: The Mahoning County Auditor provides real estate tax collections to the city as the funds are received. The ORC allows for public entities to formally request (such as the City of Canfield) that those disbursements be done in advance of the collections.

MRS. OLIVER: So, they would give us the money before they receive it.

FINANCE DIRECTOR: Well, we get it as it's collected, until waiting for the final settlement. So, we'll get 4 maybe 5 advances prior to the final settlement that they would provide.

MRS. OLIVER: Any questions from Council? Hearing none. Residents any questions? Hearing none.

ROLL CALL ON RESOLUTION:	4 Votes-Yes
	0 Votes-No
	Resolution passes
	Resolution 2024-04.

ITEM C: A Resolution Nominating Christine Oliver to Represent the City Council on the Mahoning County 9-1-1 Review Committee.

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:	4 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. GRAHAM: Second.

ROLL CALL ON MOTION:	4 Votes-Yes
	0 Votes-No
	Motion passes.

MR. GRAHAM: Madam President, I have a Resolution Nominating Christine Oliver to Represent the City Council on the Mahoning County 9-1-1 Review Committee. I move for passage.

MR. DRAGISH: Second.

CHIEF COLUCCI: Recently the state changed the way the Mahoning County 9-1-1 Boards sit. I've been a member of the board for 12 or 13 years. Now, there is a new direction they're going in,

state mandated. They're giving the Mayor of the most populous city (Youngstown) Tito Brown to be on that committee. A representative from all the townships in the county, from their trustees. A representative from Council, from all the council people in the county. I highly endorsed and suggested that we have a member on that committee. I would like to stay on that committee as well, as an assistant. Some people seem to think that merging is the best way. I personally think it's more expensive at times. There are things going on in our county right now that I can prove are more expensive. I want to make sure that this town, all the research, all the communications, the dedication that we've put into our community, I know that our community wants their call center in Canfield. I am going to do everything to make sure that it stays here. We have one of the most advanced centers in the State of Ohio. We're certainly capable of doing it. We have people that are capable of doing it. So, having a representative on that Board from our City is imperative. We have to do everything that we can to get a member and a voice on that board.

MRS. OLIVER: I can attest to that from last week.

MR. NEFF: There isn't going to be a large board, as I understand. Is that right?

MRS. OLIVER: 6 members.

CHIEF COLUCCI: With a back-up, assistant.

MR. D'APOLITO: That back-up or assistant can attend the meeting in lieu of the member but cannot vote.

MRS. OLIVER: Do we have any other questions from Council? Hearing none. Any questions from our residents? Hearing none.

ROLL CALL ON RESOLUTION:

4 Votes-Yes
0 Votes-No
Resolution passes.
Resolution 2024-05.

MR. D'APOLITO: If I might, for clarification, that allows us to present Mrs. Oliver to the other cities. Any other city can also nominate one of their council members and you again, Council will have to vote on who you would like to select. All the council's in the county will vote. That's how it's going to work.

Under **COUNCIL COMMENTS:**

MRS. OLIVER: I'd like to say, I'd like to have a do-over (laughter). After all that information. I apologize.

MR. NEFF: You're doing great.

MRS. OLIVER: Thank you everyone, have a great evening. Do I have a motion to adjourn?

MR. DRAGISH: So, moved.

MRS. OLIVER: We are adjourned.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL