

AGENDA

CANFIELD CITY COUNCIL

November 6, 2019 -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, City Manager, Finance Director, Chief of Police, Zoning Inspector and Public Works Superintendent.
8. Public questions from residents (or representative) related to the above referenced reports. Questions may be limited to three (3) minutes.
9. Recognition of Persons Desiring to Appear Before Council.

10. OLD BUSINESS

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

11. NEW BUSINESS

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

- A. An **Ordinance** Amending Canfield Codified Ordinance The Boundaries of the Designated "Community Reinvestment Area(s)" Of The City.

Public Comments

- B. An **Ordinance** Amending Canfield Codified Ordinance Chapter 513 Regarding Marijuana.

Public Comments

- C. An **Ordinance** Amending Chapter 901 "Street Excavations" of the Codified Ordinances of the City of Canfield.

Public Comments

- D. A **Motion** Changing The Date Of The First Regularly Scheduled Council Meeting In January.

Public Comments

12. Council Comments.
13. Adjournment.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____

First Reading: _____

AN ORDINANCE AMENDING
CANFIELD CODIFIED ORDINANCE
THE BOUNDARIES OF THE DESIGNATED
"COMMUNITY REINVESTMENT AREA(S)"
OF THE CITY

WHEREAS, pursuant to Ordinance Number 180-40 the Council of the City of Canfield established the boundaries of the City's Community Reinvestment Area, and

WHEREAS, the Council of the City of Canfield desires to expand the designated Community Reinvestment Area pursuant to Ohio Revised Code Section 3735.66, and

WHEREAS, the maintenance and construction of structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities, and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

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

Section 1. That the boundary of the City of Canfield's Community Reinvestment Area ("CRA") shall be the municipality territorial limits so that the entire area of the City is within the CRA.

Section 2. That a survey of housing and commercial structures has been conducted pursuant to Ohio Revised Code Section 3735.65 et seq.

Section 3. That the entire territory of the City is an area in which housing facilities or structures of historical significance are located and new housing construction and repair of existing facilities or structures are discouraged.

Section 4. All properties within the designated Community Reinvestment area are eligible for this incentive. The proposal is a public/private partnership intended to promote and expand conforming uses in the designated area through the construction or remodeling and rehabilitation of structures within the designated area. As part of the project, the City of Canfield intends to undertake supporting public improvements in the designated area.

Section 5. 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 _____, 2019.

PRESIDENT OF COUNCIL

ATTEST:

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____
First Reading: _____

**AN ORDINANCE AMENDING
CANFIELD CODIFIED ORDINANCE
CHAPTER 513
REGARDING MARIJUANA**

WHEREAS, the Council of the City of Canfield believes it to be necessary for the health, safety and benefit of the citizens of the City to amend Canfield Ordinance Chapter 513 regarding marijuana.

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

Section 1. That Canfield Codified Ordinance Section 513.03 (b) (1) (D) is hereby amended to read:

“Any person who possesses the controlled substance pursuant to a lawful prescription issued by a licensed health professional authorized to prescribe drugs and is in compliance with applicable laws relating to the possession or use of.”

Section 2. That Canfield Codified Ordinance Section 5.13.06 (a) is hereby amended to read:

“Except as provided by the Ohio Revised Code no person shall knowingly cultivate marijuana.”

Section 3. That Canfield Codified Ordinance section 5.13.12 (a) is hereby amended to read:

“As used in this section, “drug paraphernalia” means any equipment, product or material of any kind that is used by the offender, intended by the offender for use or designed for use, in propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body, a controlled substance in violation of this chapter or Ohio Revised Code Chapter 2925 except as may be authorized under the Ohio Revised Code. “Drug paraphernalia” includes, but is not limited to, any of the following equipment, products or materials that are used by the offender, intended by the offender for use or designated by the offender for use, in any of the following manners.”

Section 4. 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 _____, 2019.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____

First Reading: _____

**AN ORDINANCE AMENDING
CHAPTER 901 "STREET EXCAVATIONS"
OF THE CODIFIED ORDINANCES OF
THE CITY OF CANFIELD**

WHEREAS, the City of Canfield desires to implement a new permit and fee process regarding street excavations, and

WHEREAS, the Council of the City of Canfield desires to replace current Canfield Codified Ordinance Chapter 901 as provided herein.

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

Section 1. That Chapter 901 of the Codified Ordinances of the City of Canfield is hereby amended to read as follows:

901.01 PERMIT AND FEE REQUIRED.

No person or entity shall excavate, cut or dig into, through or under any paved street or any ditch or make any excavation within the boundary line of any street or highway within the Municipality until such person or entity has obtained a permit to do so from the City Manager, or his designee. The fee for obtaining a permit shall be as determined by the Council of the City of Canfield from time to time.

901.02 SECURITY REQUIRED.

Upon application therefor, the City Manager may issue a permit to allow excavating, digging or cutting upon, through or under any paved street or highway, when he has been furnished a bond or other sufficient security as determined by the City Manager from the applicant to secure such applicant's performance of all measures necessary to restore the street or highway, or property within the boundary lines of the street or highway, to its original condition after such excavating, cutting or digging has been completed.

901.03 NOTICE TO FIRE DEPARTMENT REQUIRED.

No person or entity shall dig any ditch or make any excavation, or cause any ditch to be dug or excavation to be made, on any public street or other public place without, before commencing to dig such ditch or make such excavation, first notifying the Cardinal Joint Fire District of their intention to dig such ditch or make such excavation.

901.04 EXPENSES.

If the City finds it necessary to obtain an inspection of the excavated or otherwise disturbed area(s), the applicant shall be required to pay for all costs related to said inspection. Such payment shall be due immediately upon notice of such costs from the City.

901.99 PENALTY.

Whoever violates any of the provisions of this chapter shall be fined not more than one hundred dollars (\$100.00).

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

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 _____, 2019.

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: _____

Motion No. _____

MOTION

A MOTION CHANGING THE DATE OF THE FIRST
REGULARLY SCHEDULED COUNCIL MEETING IN JANUARY

WHEREAS, the first regularly scheduled Council Meeting for January, 2020 would be on New Year's Day; and

WHEREAS, Council desires to establish a different date for the first meeting in January.

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

Section 1: The first meeting in January, 2020 shall be held on January 2, 2020.

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.

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