### **AGENDA**

#### CANFIELD CITY COUNCIL

### October 21 2020 -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 2699 at 490 North Broad Street from Single Family Residential (R-1) to a Planned Unit Development (R-PUD).

**Public Comments** 

B: An <u>Ordinance</u> Amending Section 1141.16 of the Codified Ordinance of the City of Canfield.

**Public Comments** 

### 11. <u>NEW BUSINESS</u>

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 <u>Ordinance</u> Authorizing the City to Enter Into the Northeast Ohio Public Energy Council ("NOPEC") and the Execution and Delivery of the Agreement Establishing NOPEC and Approving the Bylaws of NOPEC, and Declaring an Emergency.

**Public Comments** 

B: An **Ordinance** Approving the Plan of Operation and Governance for the NOPEC Electricity Aggregation Program, for the Purpose of Jointly Establishing and Implementing an Electricity Aggregation Program, and Declaring an Emergency.

Public Comments.

C: An **Ordinance** Authorizing Entering Into a Natural Gas Program Agreement with the Northeast Ohio Public Energy Council and Declaring an Emergency.

Public Comments.

D. An **Ordinance** Authorizing All Actions Necessary to Establish an Opt-in Natural Gas Program Pursuant to Section 4929.27(A)(1), Ohio Revised Code, Jointly Through NOPEC as a NOPEC Member.

Public Comments.

E. An <u>Ordinance</u> Approving the Plan of Operation and Governance for the NOPEC Natural Gas Aggregation Program for the Purpose of Jointly Establishing and Implementing a Gas Aggregation Program as a NOPEC Member, and Declaring an Emergency.

Public Comments.

- 12. Council Comments.
- 13. Adjournment

Introduced By: Mr. Neff First Reading: September 16, 2020  ORDINANCE  AN ORDINANCE AMENDING ORDINANCE 1973-44 REZONING LOT 2699 FROM R-1 TO R-PUD AT 490 NORT BROAD STREET  WHEREAS, the Council of the City of Canfield, Ohio desires to rezone 2699 located at 490 North Broad Street; and  WHEREAS, the Planning & Zoning Commission has recommended the changes to Council; and.  NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF TH CITY OF CANFIELD, OHIO:  Section 1: Situated in the City of Canfield, County of Mahoning and St. Ohio; Lot 2699 located at 490 North Broad Street is hereby rezoned from (R-1) Single Residential to (R-PUD) Planned Unit Development.  Section 2: That this Ordinance and all deliberations relating to the passe this Ordinance were held in open meetings of this Council, all pursuant to Section 121. the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield PASSED IN COUNCIL THIS DAY OF  A.D., 2020.  ATTEST:  OTHER 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:  CLERK OF COUNCIL  APPROVED AS TO FORM:	0,0,0,0,0,0		Passed	, 20
AN ORDINANCE AMENDING ORDINANCE 1973-44 REZONING LOT 2699 FROM R-1 TO R-PUD AT 490 NORT BROAD STREET  WHEREAS, the Council of the City of Canfield, Ohio desires to rezone 2699 located at 490 North Broad Street; and  WHEREAS, the Planning & Zoning Commission has recommended the changes to Council; and.  NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF TH CITY OF CANFIELD, OHIO:  Section 1: Situated in the City of Canfield, County of Mahoning and St Ohio; Lot 2699 located at 490 North Broad Street is hereby rezoned from (R-1) Single Residential to (R-PUD) Planned Unit Development.  Section 2: That this Ordinance and all deliberations relating to the pass this Ordinance were held in open meetings of this Council, all pursuant to Section 121. the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield PASSED IN COUNCIL THIS DAY OF A.D., 2020.  ATTEST:  CERTIfication of Publication  I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereb 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			20	
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I, the undersigned Clerk of Council of the City of Canfield, Ohio, hereb 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	ATTEST:		. 18	
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	Lature CLERK OF COU	NCIL	• 4	
	CLERK OF COU		ification of Publication	<u>1</u>
	I, the certify that the for	Cert he undersigned Cler egoing Ordinance w	k of Council of the Cit was posted in a promine	ry of Canfield, Ohio, herebent place at the Municipal
APPROVED AS TO FORM:	I, the certify that the for	Cert he undersigned Cler egoing Ordinance w	k of Council of the Cit was posted in a promine	ry of Canfield, Ohio, herebent place at the Municipal
	I, the certify that the for	Cert he undersigned Cler egoing Ordinance w	k of Council of the Cit was posted in a promine ntinuous days, to-wit:	ry of Canfield, Ohio, herebent place at the Municipal
V V V	I, the certify that the for Building, Canfield	Cert he undersigned Cler regoing Ordinance w l, Ohio for seven cor	k of Council of the Cit was posted in a promine ntinuous days, to-wit:	ry of Canfield, Ohio, herebent place at the Municipal
	I, the certify that the for Building, Canfield	Cert he undersigned Cler regoing Ordinance w l, Ohio for seven cor	k of Council of the Cit was posted in a promine ntinuous days, to-wit:	ry of Canfield, Ohio, herent place at the Municip

	GOVERNMENT FORMS & SUPPLIES (844) 224	1-3338 FORM NO. 30043			
	Ordinance No		Passed	, 20	
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WHEREAS, the Planning and the City of Canfield recommend Permitted Use in the M-1 Distributed Use in t	RDINANCE AMENDING 6 OF THE CODIFIED ORDINANCE HE CITY OF CANFIELD  Zoning Commission and the Zoning Inspector of adding Inside storage facilities as a Conditionally
WHEREAS, the Planning and the City of Canfield recommend Permitted Use in the M-1 Distributed Use in t	A CONTROL OF THE CODIFIED ORDINANCE THE CITY OF CANFIELD  Zoning Commission and the Zoning Inspector of adding Inside storage facilities as a Conditionally ct.  The City of Canfield deems it to be in the best of Zoning ordinance accordingly,  RDAINED, BY THE COUNCIL OF THE CITY OF IONING, AND STATE OF OHIO;
the City of Canfield recommend Permitted Use in the M-1 Distributed WHEREAS, the Council of the interests of the City to modify the NOW THEREFORE, BE IT OF CANFIELD, COUNTY OF MAH Section 1. That Canfield Councilude adding inside storage face	d adding Inside storage facilities as a Conditionally ct.  The City of Canfield deems it to be in the best are Zoning ordinance accordingly,  RDAINED, BY THE COUNCIL OF THE CITY OF IONING, AND STATE OF OHIO;
interests of the City to modify the NOW THEREFORE, BE IT OF CANFIELD, COUNTY OF MAH  Section 1. That Canfield Council include adding inside storage far	ne Zoning ordinance accordingly,  RDAINED, BY THE COUNCIL OF THE CITY OF IONING, AND STATE OF OHIO;
CANFIELD, COUNTY OF MAH  Section 1. That Canfield Co include adding inside storage fa	IONING, AND STATE OF OHIO;
include adding inside storage fa	odified Ordinance Section 1141.16 is modified to
District.	acilities as a conditionally permitted use in the M-1
this Ordinance were held in ope	ce and all deliberations relating to the passage of en meetings of this Council, all pursuant to Section Code and Section 3.11 of the Charter of the
PASSED IN COUNCIL THIS	day of, 2020.  PRESIDENT OF GOUNCIL
Latricia Berna CLERK OF COUNCIL	٠ *
<u>Cer</u>	tification of Publication
certify that the foregoing Ordi	k of Council of the City of Canfield, Ohio, hereby nance was posted in a prominent place at the d, Ohio for seven continuous days, to
	CLERK OF COUNCIL
APPROVED TO FORM:	CLERK OF COCKOIL
MUNICIPAL ATTORNEY	

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Ordinance No	, 20	
Introduced by: First Reading;		
	CITY OF CANFIELD, OHIO	
INTO THE NO ("NOPEC") A THE AGRE	THE BYLAWS OF NOPEC, AND DECLARING	
aggregation program pursuant and a natural gas aggregation Revised Code (the "Natural Clocated within the City, and fo	e Council of the City of Canfield wishes to establish an elect to Section 4928.20, Ohio Revised Code (the "Electric Program program pursuant to Sections 4929.26 and 4929.27 of the Gas Program"), for the residents, businesses and other consumption that purpose, to act jointly with any other village, city, town or other political subdivision of the State of Ohio, as permitted.	am" Ohi ime ishij
able to act jointly with other	joining the Northeast Ohio Public Energy Council, the City w member political subdivisions and thereby maximize the pot gas deregulation through group purchasing efforts.	
	FORE, BE IT ORDAINED BY THE COUNCIL OF THE OF MAHONING, AND STATE OF OHIO, THAT:	CIT
is in the best interest of the Ci	The Council of the City (the "Council") finds and determines to City, including the electric and natural gas consumers located very data adopt the NOPEC Bylaws, for the purpose of establishings Program within the City.	vith
execute and deliver the Agree "NOPEC Agreement"). The North this Council and on file with which are consistent with this	The City Manager of the City is hereby authorized and direct ement Establishing the Northeast Ohio Public Energy Counci NOPEC Agreement shall be substantially in the form present the Clerk, subject to such changes, insertions and omist is Ordinance and are not substantially adverse to the City a Mayor, which approval shall be conclusively evidenced by reement.	il (the ted to ssion nd a
SECTION 3. The the form attached to the NOPE	The Council hereby approves and adopts the Bylaws of NOPE EC Agreement).	C (
Ordinance were held in open r	This Ordinance and all deliberations relating to the passage of meetings of this Council, all pursuant to Section 121.22 of the l1 of the Charter of the Municipality of Canfield.	
the immediate preservation of reason that this Ordinance is potential benefit through the E	his Ordinance is declared to be an emergency measure necessary fithe public health, safety and welfare of the City, and for the fits required to be immediately effective in order to maximiz Electric and Natural Gas Program provided by NOPEC; where force and effect immediately upon its adoption and approval by	urth ze tl efoi

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Council of the City.

Ordinance No	Pa	assed, 20	
PASSED IN COUNCIL THIS	DAY OF	A.D.,2020.	
		PRESIDENT OF COUNCIL	
ATTEST:			
CLERK OF COUNCIL			
9	Certification of Public	cation	
, the undersigned Clerk of Counci foregoing Ordinance was posted in for seven continuous days, to-wit:_	a prominent place at	the Municipal Building, Canfield, Ohio	
1		•	
APPROVED AS TO FORM:			
MUNICIPAL ATTORNEY			

Ordinance No		Passed	, 20
Introduced by: First Reading:			
		ORDINANCE	
	GOVERNANCE AGGREGATION	FOR THE NOP PROGRAM, FOR T LISHING AND IN AGGREGATION	OPERATION AND EC ELECTRICITY THE PURPOSE OF MPLEMENTING AN PROGRAM, AND
establish an ele (the "Electricit consumers in the	ectricity aggregation y Aggregation Pro he City, and for that	program pursuant to gram"), for the residual purpose, to act jointly	ed legislation authorizing the Section 4928.20, Ohio Revidents, businesses and other with any other municipal confolio, as permitted by law
able to act joint	tly with other memb		rublic Energy Council, the Cins and thereby maximize the rig efforts; and
WI held two (2) pul Aggregation Pro	blic hearings on the l	ncil pursuant to Section Plan of Operation and G	on 4928.20, Ohio Revised (Governance for the NOPEC I
			BY THE COUNCIL OF TATE OF OHIO, THAT:
Governance of	CTION 1. This Co the NOPEC Electric file with the Clerk).	ouncil hereby approves ricity Aggregation Pro	and adopts the Plan of Open ogram (in the form presented
Ordinance were	held in open meetin		erations relating to the passa pursuant to Section 121.22 of cipality of Canfield.
the immediate preason that this potential beneficitive upon its properties.	oreservation of the push ordinance is requit through the Electritis passage by the af	ablic health, safety and ired to be immediatel ic Program provided be firmative vote of not 1	e an emergency measure necessitive of the City, and for the cy effective in order to max by NOPEC. It shall therefor less than five (5) members of fective at the earliest time at
PASSED IN CO	OUNCIL THIS	DAY OF	A.D., 2020.
			PRESIDENT OF COUNC
ATTEST:			

7833174v2

Ordinance No	Passed	, 20	
	Certification of Publication		
I, the undersigned Clerk of Council of Gregoing Ordinance was posted in a for seven continuous days, to-wit:	of the City of Canfield, Ohio hereby con prominent place at the Municipal Bu	ilding, Canfield, Ohio —	
APPROVED AS TO FORM:			
MUNICIPAL ATTORNEY			
7833174v2			

Ordinance No	Passed	, 20
Introduced by: First Reading:		
PROGRAM AGE COUNCIL AND WHEREAS, und (the "City") is authorized	CE AUTHORIZING ENTERING INTO REEMENT WITH THE NORTHEAST OF DECLARING AN EMERGENCY der Section 4929.26 of the Ohio Revised of to establish an opt-out natural gas aggregmers located within the City;	OHIO PUBLIC ENER  Code, the City of Car
WHEREAS, und	der Section 4929.26 of the Ohio Revised Ohio Per political subdivisions in the State of Ohio	
collectively to participate	vernmental aggregation provides an oppor in the potential benefits of natural gas der erwise be able to have individually;	
	FORE, BE IT ORDAINED BY THE G COUNTY, AND STATE OF OHIO, TH	
best interest of the City and out natural gas aggregation	The Council of the City (the "Council") find certain natural gas consumers located work program (the "Gas Aggregation Program greement with NOPEC in order to estab	rithin the City, to estan") in the City, and to
Natural Gas Program Ag Agreement shall be subst such changes, insertions substantially adverse to the	The Council is hereby authorized and degreement of NOPEC (the "Gas Program annually in the form presented to the Boards and omissions which are consistent whe City and as may be approved by the Collenced by execution of the Gas Program Ag	Agreement"). The O l on file with the Cler with this Ordinance buncil of the City, wh
were held in open meetin	his Ordinance and all deliberations relating ags of this Council, all pursuant to Section harter of the Municipality of Canfield.	
immediate preservation o	This Ordinance is declared to be an emer of the public health, safety and welfare of the effect immediately upon its adoption and ap	ne City, wherefore, th
PASSED IN COUNCIL	THISDAY OF	A.D, 2020
	PRESIDEN'	T OF COUNCIL
ATTEST:		
CLERK OF COUNCIL	<u></u> .	

Ordinance No	Passed	, 20
	Certification of Publication	
Alexanderic 101 1 00		
foregoing Ordinance was pos for seven continuous days, to	ouncil of the City of Canfield, Ohio hereby c ted in a prominent place at the Municipal Bu-wit:	ilding Canfield, Ohio
APPROVED AS TO FORM		
MUNICIPAL ATTORNEY		
	2	

Ordinance No	Passed	, 20
[Introduced by: First Reading:		
	ORDINANCE	
NECESSA GAS P 4929.27(A		Г-IN NATURAL ГО SECTION DDE, JOINTLY
natural gas aggregation	City of Canfield, Ohio ("City"), hat program pursuant to Section 49 other consumers located within the consumers of the consu	29.26, Ohio Revised Co
and other consumers with gas aggregation program Natural Gas Aggregation within the City and, for	expand the natural gas supply option in the City of Canfield, the City was pursuant to Section 4929.27(A)(a Program") for its residents, busing that purpose, to act jointly without or other political subdivision	vishes to establish an "opt 1), Ohio Revised Code ( inesses and other consum h any other city, village
WHEREAS, the O jointly through NOPEC as	City wishes to conduct the Opt-Ins a NOPEC member.	n Natural Gas Aggregation
	FORE, BE IT ORDAINED ANFIELD, COUNTY OF MAH	
In Natural Gas Aggregation	s Council hereby approves and auton Program in the City jointly three pursuant to the authority contains	ough NOPEC as a NOP
Ordinance were held in or	his Ordinance and all deliberation pen meetings of this Council, all pen 13.11 of the Charter of the Municipal Council.	ursuant to Section 121.22
immediate preservation of	s Ordinance is declared to be an e of the public health, safety and value of the public health, safety and value of the public health, safety and value of the public health of t	welfare of the City; who
PASSED IN COUNCIL T	THISDAY OF	A.D., 2020.
	PRESII	DENT OF COUNCIL
ATTEST:		

Ordinance No	Passed	, 20
	Certification of Publication	
foregoing Ordinance was posted for seven continuous days, to-wit	cil of the City of Canfield, Ohio hereby in a prominent place at the Municipal i	Building, Canfield, Ohio
APPROVED AS TO FORM:		
MUNICIPAL ATTORNEY		

Ordinance No	Passed	, 20
Introduced by: First Reading:		
	ORDINANCE	
AND GOV AGGREGA JOINTLY AGGREGA	NANCE APPROVING THE PLAN OF VERNANCE FOR THE NOPEC NATION PROGRAM FOR THE ESTABLISHING AND IMPLEMENATION PROGRAM AS A NOPEC NATION EMERGENCY	ATURAL GAS PURPOSE OF NTING A GAS
Canfield (the "City") to e 4929.26, Ohio Revised ( residents, businesses and o	this Council previously enacted legistablish an "opt-out" Gas Aggregation Code (the "Opt-Out Gas Aggregation ther gas consumers in the City, and for ration, city, county or other political section.	on Program pursuant to Section on Program"), for the eligible or that purpose, to act jointly with
the Northeast Ohio Public Agreement, so that the City	this Council previously enacted legislate Energy Council (NOPEC), and to easy would be able to act jointly with other potential benefits of gas deregula	execute a Natural Gas Prograr er member political subdivision
gas aggregation program Natural Gas Aggregation	this Council has enacted legislation pursuant to Section 4927(A)(1), Oh Program") for the eligible residents, and to conduct the Opt-In Natural GateC member; and	io Revised Code, (the "Opt-I business and other consumer
Revised Code, two (2) pub	on behalf of this Council pursuant plic hearings have been held on the Pla t and Opt-In Natural Gas Aggregat gregation Program").	an of Operation and Governance
11	REFORE, BE IT ORDAINED BY T IING COUNTY AND STATE OF OH	
City, including the gas co Governance of the NOPE	This Council finds and determines the onsumers located within the City, to a C Natural Gas Aggregation Program, PEC Natural Gas Aggregation Program	ndopt the Plan of Operation and, for the purpose of establishing
Ordinance were held in op	This Ordinance and all deliberation en meetings of this Council, all pursua 3.11 of the Charter of the Municipality	ant to Section 121.22 of the Oh
the immediate preservation reason that this Ordinance potential benefits of gas de	This Ordinance is declared to be an end of the public health, safety and welfare is required to be immediately effective end of the NOPEC Natural, this Ordinance shall be in full force the City.	re of the City, and for the further tive in order to maximize that Gas Aggregation Program,

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Ordinance No	Passed	, 20	
PASSED IN COUNCIL THIS	DAY OF	A.D,. 2020	
	PRESIDENT	T OF COUNCIL	
ATTEST:			
CLERK OF COUNCIL			
	ertification of Publication		
, the undersigned Clerk of Council of Coregoing Ordinance was posted in a for seven continuous days, to-wit:	f the City of Canfield, Ohio prominent place at the Muni	icipal Building, Canfield, Ohio	-
APPROVED AS TO FORM:		<u> </u>	
MUNICIPAL ATTORNEY			
			- 11