

AGENDA

CANFIELD CITY COUNCIL

May 19, 2021 -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** Authorizing the City Manager to Enter into An Agreement with The Board of Mahoning County Commissioners for Public Safety Dispatch Center Lobby Construction/Expansion.

Description:

In March, staff was made aware of the availability of funds from the Mahoning County Commissioners for communities that typically do not receive any assistance from the various programs administered by the County. Chief Colucci sent a request to Commissioner Rimedio-Righetti for additional funds to help pay for the Dispatch Center upgrades.

The Mahoning County Commissioners considered our request and awarded \$50,000 in the form of a reimbursable grant for the Dispatch Center upgrade and renovation project. As part of the requirements of the grant, the City of Canfield and the Mahoning County Commissioners to enter into an agreement for the submitted project and awarded funds.

This ordinance authorizes the City Manager to enter into an agreement with the Mahoning County Commissioners for the Public Safety Dispatch Center Lobby Construction/Expansion project.

Action Needed:

Approval of Ordinance authorizing the City Manager to enter into an agreement with the Mahoning County Commissioners for the Public Safety Dispatch Center Lobby Construction/Expansion project.

Attachment(s):

Ordinance authorizing the City Manager to enter into an agreement with the Mahoning County Commissioners for the Public Safety Dispatch Center Lobby Construction/Expansion project.

Agreement with Mahoning County Commissioners

Chief Colucci email request and award notification

Public Comments

- B. An **Ordinance** Amending Section 1141.11 Residential Office and Section 1123.01 Definitions Adding “Daycare Facilities” to the Canfield Zoning Ordinance

Description:

Staff has been approached by a business wanting to establish a daycare facility within the City of Canfield. In researching the request, it was discovered that the City of Canfield Zoning Ordinances do not currently have regulations for “daycare facilities”.

At their April 8, 2021 meeting the Planning and Zoning Commission recommended adding day care facilities as a permitted use within the Residential/Office (R/O) District.

This ordinance amends section 1141.11 to include daycare facilities as a permitted use within the R/O Districts in the City of Canfield, further, this ordinance also amends section 1123.01 to add the definition of “Daycare Facilities”.

Action Needed:

First reading of Ordinance amending Section 1141.11 Residential Office, and Section 1123.01 Definitions to include “daycare facilities” and setting a public hearing. Staff is recommending the public hearing be set for June 16, 2021 at 5:20 PM.

Attachment(s):

Ordinance amending section 1141.11 and section 1123.01 to add “daycare facilities”

Planning and Zoning recommendation letter.

Public Comments.

12. Council Comments.

13. Adjournment

Introduced By: _____
First Reading: _____

ORDINANCE

**AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH THE BOARD OF
MAHONING COUNTY COMMISSIONERS FOR PUBLIC
SAFETY DISPATCH CENTER LOBBY
CONSTRUCTION/EXPANSION**

WHEREAS, the City of Canfield has submitted a project for consideration for funding; and

WHEREAS, the Mahoning County Commissioners has considered this project and determined that it is consistent with the County's overall development objectives; and

WHEREAS, the Mahoning County Commissioners has authority to provide, and the City of Canfield has authority to accept, assistance for the project pursuant to R.C. 307.63 and 307.15, among other sources of authority

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

MAHONING COUNTY AND THE CITY OF CANFIELD DO HEREBY AGREE AS FOLLOW:

Section 1: PROJECT DESCRIPTION

The approved project is described as follows: public safety dispatch center lobby construction/expansion. (agreement attached)

Section 2: STATEMENT OF THE AGREEMENT

The Mahoning County Commissioners hereby grants funds to the City of Canfield in the amount not to exceed fifty-thousand (\$50,000.00) for the sole and express purpose of providing for the implementation of the project described in Section 1. The grant of funds shall be contingent upon the conditions set forth in this Agreement, which must be complied with in full.

Section 3: PROJECT FUNDING

The project funding sources are as follows:

Mahoning County General Fund Revenue. \$50,000.00

Section 4: The City Manager of said City of Canfield is hereby empowered on behalf of the City of Canfield to enter into an agreement with the Board of Mahoning County Commissioners to complete the above described project.

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 _____ A.D., 2021

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

_____.

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

AGREEMENT

This COMMUNITY AGREEMENT made this _____ day of _____, 2021 is entered into by and between the BOARD OF MAHONING COUNTY COMMISSIONERS, hereinafter referred to as the COUNTY, and CITY OF CANFIELD, hereinafter referred to as the COMMUNITY.

WITNESSETH:

WHEREAS, the COMMUNITY has submitted a project for consideration for funding; and

WHEREAS: 1.) the COUNTY has considered this project and determined that it is consistent with the COUNTY's overall development objectives; and 2.) the COUNTY has authority to provide, and the COMMUNITY has authority to accept, assistance for the project pursuant to R.C. 307.63 and 307.15, among other sources of authority;

NOW THEREFORE, MAHONING COUNTY and the CITY OF CANFIELD do hereby agree as follows:

I. PROJECT DESCRIPTION

The approved project is described as follows: public safety dispatch center lobby construction/expansion

II. STATEMENT OF THE AGREEMENT

The COUNTY hereby grants funds to the COMMUNITY in the amount not to exceed \$50,000.00 (1070001-600920) for the sole and express purpose of providing for the implementation of the project described in Section I. The grant of funds shall be contingent upon the conditions set forth in this Agreement, which must be complied with in full.

III. PROJECT FUNDING

The project funding sources are as follows:

Mahoning County General Fund Revenue	\$50,000.00
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IV. PROJECT IMPLEMENTATION METHOD

This project will be implemented as follows:

1. The COMMUNITY and/or their consultant will be responsible for securing necessary permits and approvals.
2. The COMMUNITY is responsible for all steps involved in project implementation. The COMMUNITY will be responsible for all plan preparation, bidding, advertising, contract awards, and construction administration.
3. The COMMUNITY will submit project invoices and other cost documentation to the COUNTY, and will submit this documentation along with a "Request for Payment" form/invoice. The COUNTY will review cost documentation and make payment to the COMMUNITY within 30 days of receiving the appropriate documentation from the COMMUNITY and proof of payment to the contractor. All payments to contractors and other parties associated with project implementation are the sole responsibility of the COMMUNITY.

V. **ACCOUNTING FOR FUNDS**

The funds shall be deposited and maintained in a separate account upon the books and records of the COMMUNITY. The COMMUNITY shall keep all records of the Account in a manner which is consistent with generally accepted accounting principles. All disbursements from the Account shall be for obligations incurred in the performance of this Agreement and shall be supported by contracts, invoices, vouchers, and other data, as appropriate, evidencing the necessity of such expenditure. Failure to comply with this requirement may allow the COUNTY to withhold payment allocation requests until such compliance is demonstrated. The COMMUNITY shall establish and maintain financial records in accordance with all local, state and federal regulations. All records will be subject to audit by the Auditor of the State of Ohio.

VI. **INSPECTIONS**

At any time during normal business hours upon three days written notice, the COMMUNITY shall make available to the COUNTY, for examination, all of its records with respect to matters covered by this Agreement, and shall permit the COUNTY to audit, examine and make excerpts or transcripts from such records.

VII. **PROJECT OWNERSHIP AND MAINTENANCE**

The COMMUNITY agrees to own and maintain the project improvement in good repair.

VIII. **FEDERAL AND STATE REQUIREMENTS**

A. **Fair Labor Standards**

Unless Federal funds are involved in the project, State Prevailing Wage Rates will apply. Wage rate provisions will be enforced by the COMMUNITY.

B. **Equal Employment Opportunity**

The project shall be conducted in conformity with all applicable Federal regulations covering Equal Employment Opportunity. Equal Employment Opportunity shall include nondiscrimination as to race, religion, age, sex, or national origin. Enforcement of EEO provisions shall be the responsibility of the COMMUNITY.

C. **Prohibited Interests**

No member, officer, or employee of the COUNTY or of the COMMUNITY during their tenure or for one year thereafter shall have any interest, direct or indirect, in this Contract or the proceeds as a Contractor.

IX. **PROJECT CHANGES**

The COMMUNITY shall notify the COUNTY in writing prior to taking any actions which would substantially affect the design or implementation of this project.

X. **PROJECT FUNDING**

The COUNTY agrees to pay for a portion of the cost of the improvement up to the total approved grant amount. If the actual cost exceeds the approved amount, the following options will exist: (1) The project scope may be altered to bring the cost in line with the grant amount; or (2) If the COMMUNITY agrees, the additional costs can be provided by a local share from the COMMUNITY. Under no circumstances will the COUNTY'S obligation hereunder exceed \$50,000.00.

The COUNTY reserves the right to determine the use of any unexpended grant funds provided in this Agreement. If a project is designed and not built, the COUNTY reserves the right to demand repayment from the COMMUNITY for all architectural and/or engineering costs. The funding is subject to Ohio State Auditor determinations and findings for recovery.

XI. SCHEDULE AND TIME OF COMPLETION

The COMMUNITY shall provide a project schedule as part of this Agreement. The COMMUNITY may apply to the COUNTY for an extension of the date to initiate construction/demolition. The COUNTY will review such requests and may, at their discretion, extend the date to initiate construction/demolition.

The COUNTY and the COMMUNITY shall cooperate to complete the described project in a timely manner. The date of completion of this Agreement shall be as stated in the Contract Term. The date of completion may, at the discretion of the COUNTY, be extended upon submission of adequate justification and amendment to this Agreement.

XII. CONTRACT TERM

The term of this Agreement shall not extend past December 31, 2021 unless an amendment is approved by the COUNTY. The COMMUNITY must make requests for extensions in writing to the COUNTY by October 31, 2021.

XIII. REPORTING

The COMMUNITY shall submit quarterly program and fiscal reports to the COUNTY in accordance with the schedule provided by the COUNTY. Failure to provide said reports may result in the COUNTY withholding payment of allocation requests.

XIV. CONTRACT TERMINATION BY CAUSE OR CONVENIENCE

A. Termination of Contract for Cause

If, through any cause, the COMMUNITY shall fail to fulfill the obligations under this Contract, or if the COMMUNITY shall violate any covenants, agreements, or stipulations of this Contract, the COUNTY shall have the right to terminate this Contract by giving written notice, via hand delivery or certified mail, to the COMMUNITY of such termination and specifying the effective date thereof, at least five (5) calendar days before the effective date of such termination.

B. Termination of Contract for Convenience

The COUNTY and the COMMUNITY shall each have the right to terminate this Contract at any time, for any reason, by submitting a written notice, via certified mail, to the applicable party prior by at least thirty (30) days of the effective date of such desired termination.

Upon termination, the COUNTY'S obligations hereunder shall cease and no further payment will be due hereunder; provided, however, that any expenditure made by the COMMUNITY up to and including the date of delivery of the notice of termination may be reimbursed by the COUNTY upon the sole discretion of the COUNTY.

XV. APPLICABLE LAW

The laws of the State of Ohio shall govern the validity, performance, and enforcement of this Agreement. The invalidity or unenforceability of any provision of this Agreement shall not

affect or impair any other provision. All negotiations, considerations, representations, and understandings between the parties are incorporated herein and may be modified or altered only by agreement in writing between the parties.

XVI. BINDING EFFECT

This Agreement shall be binding upon and inure to the benefit of the parties, their personal representatives, successors, and assigns.

XVII. LIABILITY

The COUNTY shall not be a party to the project, nor to any contract associated with the project, nor will the COUNTY be liable for any claims for damages, in tort, contract or otherwise, that are associated with the project under any theory of liability whatsoever. The COUNTY'S sole obligation is to grant funds to the COMMUNITY in an amount not to exceed the maximum amount set forth herein.

IN WITNESS WHEREOF, the parties hereto have set their hands on the date as indicated.

**BOARD OF MAHONING COUNTY COMMISSIONERS
OF MAHONING COUNTY, OHIO**

David C. Ditzler

Date

Carol Rimedio-Righetti

Date

Anthony T. Traficanti

Date

CITY OF CANFIELD, OHIO

City Manager

Date

Fiscal Officer

Date

Law Director

Date



Wade Calhoun <wcalhoun@canfield.gov>

City of Canfield Request

Chuck Colucci <ccolucci@canfield.gov>
To: "Rimedio-Righetti, Carol" <crighetti@mahoningcountyoh.gov>
Cc: Wade Calhoun <wcalhoun@canfield.gov>

Fri, Mar 19, 2021 at 8:47 AM

Commissioner Rimedio-Righetti,

Good afternoon. As discussed in our phone conversation, I received notice this morning from our city engineer, MS Consultants, that the Mahoning County Commissioners may be looking to assist communities to fund some small "shovel ready" projects with available unallocated funds.

Beginning in August 2019 in The City of Canfield made plans to remodel and expand our dispatch center. The Canfield 911 dispatch center serves the communities of Canfield City, Canfield Township, Berlin Township and Coitsville Township. Since our dispatch center is a 24-hour per day operation, the Police Department lobby remains open and available to the public on the same schedule. The current lobby has a small foyer area, a small interview room, and a restroom facility, due to the capability and availability of these facilities several people visit our police department on a daily basis for a variety of reasons, additionally multiple other police agencies within Mahoning County utilize our lobby to meet victims, or meet other members of our community who are seeking public safety assistance of any kind. Our lobby also serves as a Safe Zone for parent custody exchanges, online purchasing exchange, and is also a designated prescription medication drop off facility.

Part of the original dispatch expansion and remodel plan included an expansion of the lobby to allow for more practical application of appropriate COVID protocols in order to minimize the current and future health risks posed due to the high frequency of use the lobby receives from the general public.

One of the many unfortunate consequences of the COVID pandemic has been the skyrocketing costs of construction materials, which inevitably has affected the costs associated with our dispatch center remodel and expansion, and our ability to fund the full project construction as originally desired. The lobby expansion/COVID precaution measures are unable to be funded due to the bid response figures we received today at our construction bid opening. This portion of the project would have created additional space for appropriate social distancing, and included plans to add new doors and doorways, tempered walls would be built to create separation within the lobby, as well as other details that I would be happy to share with you if needed.

The total project cost is \$660,315; of which approximately \$440,000 is for the dispatch consoles and associated hardware/software, and the remaining \$220,000 is for the construction remodel costs. Due to the increased construction costs, and the subsequent bids received for construction/expansion portion of the project, the City of Canfield is approximately \$80,315.00 short of the funding needed to complete this necessary portion of the project, however due to financial constraints within the City of Canfield budget for this project this portion of the project will have to go unaddressed.

The City of Canfield would respectfully request \$80,315.00 to be considered for funding if it is available or if there is any amount that could be allocated towards our project, it would be greatly appreciated. Please know this project is scheduled to begin shortly and whatever dollars could be allocated to this project from Mahoning County would be utilized within six months of receiving the funds, if not sooner.

I would like to thank you for your time and consideration regarding this matter and respectfully ask for the Commissioners consideration in assisting us in the full completion of this project.

Respectfully,

Charles S. Colucci, Chief of Police
Canfield Police Department
330-533-4903

Wade Calhoun <wcalhoun@canfield.gov>

RE: Canfield Funding Request

1 message

Preston, Stephen <SPreston@msconsultants.com>

Thu, Mar 25, 2021 at 7:34 AM

To: Chuck Colucci <ccolucci@canfield.gov>Cc: Wade Calhoun <wcalhoun@canfield.gov>

Chief,

I have worked closely with Anna to administer Mahoning County's CDBG program over the last 5 years or so. I have a great relationship with her.

If you need anything or run into any binds with her just let me know.

Steve Preston, PE

ms consultants, inc | engineers, architects, planners[333 East Federal Street, Youngstown, Ohio 44503-1821](#)

p: 330-744-5321 Ext. 11268

f: 330-744-5256

e: SPreston@msconsultants.comConnect: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [ms Blog](#)[Sign up to receive our email newsletter](#)

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From: Chuck Colucci <ccolucci@canfield.gov>
Sent: Wednesday, March 24, 2021 3:17 PM
To: DeAscentis, Anna <adeascentis@mahoningcountyoh.gov>
Cc: Christine Stack-Clayton <cclayton@canfield.gov>; Preston, Stephen <SPreston@msconsultants.com>; Wade Calhoun <wcalhoun@canfield.gov>
Subject: Re: Canfield Funding Request

[EXTERNAL MESSAGE] This message has originated outside of ms consultants. Do not open attachments or click on links from unknown or unexpected senders.

Thanks Anna! Hope all is well.

Our next council meeting is April 7th.

Thanks - Chuck

On Wed, Mar 24, 2021 at 3:00 PM DeAscentis, Anna <adeascentis@mahoningcountyoh.gov> wrote:

Hello Chief,

The Board of Mahoning County Commissioners approved a \$50,000.00 reimbursable grant award for the project you submitted. I will be your contact person for the project

I am currently preparing the contractual agreement for council to accept and return to my attention. It will then be formally accepted by the BMCC and you will receive and executed agreement and purchase order.

I hope to have the agreement sent to your attention via email on Friday, 3/26/21.

Any questions please let me know.

Thank you,

Anna

Annemarie DeAscentis

The Board Mahoning County Commissioners

5/17/2021

City Of Canfield Mail - RE: Canfield Funding Request

Grants Manager

P: 330-740-2200 opt. 4

C: 330-398-5581

F: 330-270-7779

adeascentis@mahoningcountyoh.gov

Introduced by: _____
First Reading: _____

**AN ORDINANCE AMENDING SECTION 1141.11 RESIDENTIAL
OFFICE AND SECTION 1123.01 DEFINITIONS ADDING "DAYCARE FACILITIES" TO THE
CANFIELD ZONING ORDINANCE**

WHEREAS, Section 1141.11 of the Zoning Ordinance does not include a daycare as a permitted use; and

WHEREAS, the Canfield Planning & Zoning Commission is recommending that we include a Daycare as a permitted used in the Residential Office District; and

WHEREAS, the Council of the City of Canfield desires that this use be permitted in a Residential Office District.

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

Section 1: Section 1141.11 of the Canfield Code is amended to permit "daycare facilities" as a permitted use in the Residential Office District.

Section 2: That Canfield Codified Ordinance Section 1123.01 shall be amended to provide for new subsection 28 "Daycare Facilities" as follows and that each subsequent subsection of 1123.01 shall be re-numbered accordingly.

28. "Daycare Facilities" means a facility or business that provides supplemental parental care or supervision for a group of children or adults on a regular basis for less than 24 hours a day under license by and in compliance with the laws of the State of Ohio.

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

PASSED IN COUNCIL THIS _____ DAY OF _____, 2021.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY



City of Canfield

104 LISBON STREET
CANFIELD, OHIO 44406-1416

Phone: 330-533-1101
Admin. Fax: 330-533-4415
Finance Fax: 330-533-2668
www.ci.canfield.oh.us



DATE: APRIL 8, 2021

TO: MEMBERS OF COUNCIL

FROM: MIKE COOK, SECRETARY
PLANNING AND ZONING COMMISSION

SUBJECT: A RECOMMENDATION TO COUNCIL TO AMMEND CANFIELD
CODIFIED ORDINANCE SECTION 1141.11 R/O RESIDENTIAL OFFICE
DISTRICT ADDING DAY-CARE AS A PERMITTED USE.

At the regular meeting of the Planning and Zoning Commission on April 8, 2021, the following motion was made:

Mr. Neff made a motion to recommend Council ammend Canfield Codified Ordinance Section 1141.11 R/O Residential Office Districe adding day-care as a permitted use.

The motion was seconded by Mr. Palermo.

This motion passed 5 - 0

MINUTES
CANFIELD CITY COUNCIL
REGULAR MEETING
MAY 5, 2021-5:30 P.M.

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

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

Under **MINUTES**, the Minutes of the regular meeting on April 21, 2021 were approved as correct.

On page 16, the speakers name was spelled Dohra and it should have been Nohra.

Under **Reading of Communications**:

MR. TIECHE: I have none.

MR. NEFF: I had several calls. A resident who was saying there was significant flooding after the rain. Maybe we can cover that when we get to Public Works. Also, an inquiry about the status of Mr. Cory McLain's property on East Main Street.

ATTY. FORTUNATO: I can update you on that. We are in the process of proceeding, we have the insurance money deposited. We've notified him of that. We're also in process of sending him a 30-day letter, advanced written notice. We'll abate the nuisance, if we have to and take the money out of the insurance proceeds. We have to send out that to all lien holders as well. We're in the process of gathering that information. We're on that.

MR. TIECHE: Is abating the nuisance going to potentially include demolition of the structure?

ATTY. FORTUNATO: Yes.

MR. TIECHE: Okay, thank you.

MR. NEFF: Then to report unofficially from the parade committee, they're still planning a parade as long as people can socially distance and wear masks. So, hopefully it will keep getting better and we'll have an old-fashioned parade on July 4th.

MR. MORVAY: Thank you. Mayor Duffett.

MR. DUFFETT: I received some communications from the Mahoning County Health Commissioner regarding our task force, communications there. We will be sending a letter to

the residents of Canfield reinforcing the 4 C's of Canfield and also adding a mental health component. The Chief of Fire is saying that some of the EMS calls has been regarding that with the COVID. We had an American Legion Meeting last night. We are not proceeding with the big Memorial Day planning because of COVID. It's only a few weeks away. Also, the flag pole dedication; which was on flag weekend, is not going to go. We're going to wait until Veteran's Day for that and we'll coordinate with Wade. The Legion felt that it's too early to plan something like that from what we've received from the Mahoning County Health Commissioner. That's all I have.

MR. MORVAY: Mr. Nacarato.

MR. NACARATO: I have none.

MR. MORVAY: Wade, if you could update us on the findings on Sawmill, the creek. Maybe just give us a little update on that, what we're waiting for and what's going on with that right now?

MR. CALHOUN: For the Bradford, Briarcliff, Sawmill Creek Drainage Improvement Project. So, the engineers are currently in design phase. It's a pretty significant project, so design can take anywhere between 6 to 8 months. Once we get that final design we'll probably do a lead up to construction, public information, have multiple information meetings Let everybody know what the project is. The biggest component of that is the retention areas. The study that was done in 2018 showed that the proposed solution of retention areas along Sawmill Creek stream, is just now, through the design phase will determine where the adequate places for those retention areas may be. The conceptual design showed 5 retention areas. Depending on the design and the modeling shows there may only be 3 but they may be larger. It may be 5 smaller ones. That's what the design will do. I anticipate the start of construction for that project in the spring of 2022.

MR. MORVAY: Thank you.

MR. TIECHE: Will the retention areas be something that we're going to need to acquire property for?

MR. CALHOUN: Potentially, yes.

MR. TIECHE: Then with the City being the owner we will have the maintenance responsibility and requirements for fencing?

MR. CALHOUN: Correct.

MR. MORVAY: Thank you, Wade. The Ed Reese property, the development. There have been some concerns about the types of houses that are going in there. We have not seen any plans yet from Mr. Reese?

MR. CALHOUN: He has not submitted any plans.

ZONING INSPECTOR: He has not come in for a formal presentation.

MR. MORVAY: But my perception was that those are supposed to be upper scale homes.

ZONING INSPECTOR: Yes.

MR. CALHOUN: I think the intent is to match the Oak Tree, Pine Cone development that is right next to it, that actually will connect to Mr. Reese's development.

MR. MORVAY: Thank you. Mike, I know it's early in the spring but there seems to be quite a few houses with high grass. Especially, I've gotten some complaints to Master's house right there in the square.

ZONING INSPECTOR: I talked to the realtor last Thursday and she was supposed to have the grass cut.

MR. MORVAY: Thank you. I guess Pat had some problems on her street, Verdant. John, you can update us when we get to your report. That's all I had. Wade, anything?

MR. CALHOUN: I just have one. It's rather lengthy. So, May is Brain Tumor Awareness Month.

Some of the facts about brain tumors:

- There are 120 different types of brain tumors.
- Approximately 700,000 people in the United States have a primary brain tumor.
- Approximately 70,000 people will be diagnosed this year, with 34% of those being adults; which leaves 66% of diagnosis being children.
- Brain tumors are the most common cancer among those under the age of 19.
- It's the second leading cause of cancer related death for children under the age of 18.

There is not much awareness right now with brain tumor awareness. As you'll see and I mentioned to Council in our memo, through cooperation with Canfield citizens and non-profit awareness groups we are participating in the Go Gray for May Campaign. If you look at the Village Green you'll see there are a number of gray ribbons tied around the trees to raise awareness and gain support for any number of cancers that don't get the awareness that they need. Locally, we've had this impact our community. In 2018, I believe, little Devin Kirtley was diagnosed with a brain tumor at 11 months of age. He has fought over the last 3 years. I know the Cardinal Joint Fire District did a campaign, in the community selling t-shirts to raise awareness and also help the family out in getting some of the funds needed for that research. The past February, it was reported that he was brain tumor and cancer free. So, he's been able to fight this terrible disease. Other families aren't so fortunate. The Edenfield Family, on May

22, 2020 was impacted when their 4-year-old daughter Melina Michelle Edenfield was diagnosed with Diffuse Midline Glioma (DMG), a little over a month later, it took Melina's life. I encourage everybody that hears this message and sees our ribbons, to tell everybody you know about this terrible disease and to raise awareness. Canfield Local School is actually participating in a Gray Out Day on May 21st of this year. Melina's message of "Choose Joy" T-Shirts can be purchased through the Melina Michelle Edenfield Foundation. All of the proceeds go to research in finding a cure. That's mmefoundationjoy.org. All of the proceeds go to research and finding a cure. I know Canfield Schools is participating. I would encourage everybody to purchase T-Shirts, wear them on May 21st, wear gray if you don't have a T-Shirt that you purchased. This is something that hits home locally, our Canfield Community is impacted. I think it hits home for me as a father. Seeing the statistics on kids. I can't imagine what the parents are going through. That's pretty much it. Everybody and everybody you know, make May go gray. In honor of Melina's family for Devin and his family and everybody else who is impacted.

MR. MORVAY: Wade is that on our website? Can we post it?

MR. CALHOUN: Not yet. I can definitely link it and social media post.

MR. MORVAY: That would be great. That would be good.

MR. CALHOUN: That's all I have.

MR. MORVAY: We'll move onto reports.

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

MR. TIECHE: I think each member of council received our Parks Board Minutes from our meeting on May 4th. I'll call your attention to a couple of things in there. One is there were questions about whether we might be able to have some activities on the Village Green this year. One was Concerts on the Green, might we be able to do that and any other activities going on, on the Green. Secondly, as a result of our "Tree City" program on Friday, there was some discovery that we had a previous tree that was planted as part of the Tree City that died. The Parks Board decided that we would like to replace that and as a result we requested an addition to the Parks Board Budget of up to \$500,000. (Laughter) I mean \$500.00. Let me admit that I made a mistake. Up to \$500.00. I don't know that we're going to need all of that because part of that was speculation about getting an Arborist our here, Mr. Rhoades with Ohio Edison also serves on the Parks Board knows the Arborist that also works for Ohio Edison and he's going to come out and take a look at that. We may still have a couple of bucks if we would do that. But we would like to amend the Parks Boards budget to at least provide some money so we can replace that tree. I originally made the Motion for \$500.00, not \$500,000. That's it for my report.

MR. NEFF: We did not have a meeting this week. It's next week.

MR. DUFFETT: I have none.

MR. NACARATO: Design Review met yesterday. We had 4 things on our agenda. There was no big turmoil on any of that. Moving forward, we're working with MS Consultants to get better guidelines on what Design and Review will require for people to come in front of us and what we expect. Until those come out, we'll go with what we have.

MR. MORVAY: The Fire District last month had a total of 159 calls, of that 159 calls we transported 88 individuals in the ambulance. If you saw in the paper the news, apparently a family of fox, one of the foxes, the baby was, I don't know whether it glanced the ambulance or whatever, but anyway the guys got out and they brought it into the ambulance and gave it oxygen and it was fine. They set it back in the woods running back to its mom. It was kind of cute. I had some pictures but I couldn't get them printed or I would have brought them. Sorry about that. That's my report for the Fire District.

PUBLIC WORKS SUPERINTENDENT: Good evening. Public Works crews initiated the valve exercising program for this year, the EPA requires us, similar to the hydrant flushing program that they require. We are required to do every valve in the system within a 5-year period. So, we have broken that down over the 5 years, dividing that up, we do so many every year. It's a good program. It let's us find which one's are working, which one's aren't working to get those replaced or repaired, so we have control over our system. It's just very time consuming. We'll probably be a whole month on that. Camelot Court progressing well, the weather kind of delayed us this week but we hope to have that done by weeks end, next week. They were out there working again today but it's looking more like mid to late next week. Crews have repaired some concrete driveway approaches from water breaks that we've had. They been finishing some yard restoration from water breaks. They've also been out performing storm drain repairs, maintenance, some trouble calls, and Wade and I have been out to a number of places looking for some areas that we can do some improvements, so we can get some of these problems addressed. The street sweeper is in town. You've probably seen the yellow street sweeper. He will cover all the streets in town. It usually takes a couple weeks to complete that. That's all I have.

MR. MORVAY: Could you comment on the flooding on Verdant?

PUBLIC WORKS SUPERINTENDENT: Sure. Crews were down there today, I accompanied them, what we found was a blockage of grass clippings, leaves and sticks inside the catch basin. We jettied it from the creek up to a manhole and cleared it and then across the street to Verdant and we also cleared it. We vacuumed out all the debris we found inside.

MR. MORVAY: Thank you.

MR. TIECHE: John, up on Greenmont, the gas company cut across the cul-de-sac there at the far north end of Greenmont?

PUBLIC WORKS SUPERINTENDENT: Yes, they did.

MR. TIECHE: Are they going to be responsible for the repair of the street and all that kind of thing?

PUBLIC WORKS SUPERINTENDENT: Yes. Crews were called out there last week because they thought they hit a water service line but they didn't, it was ground water, we tested it. I spoke with them and they will be back to repair what they damaged to the road.

MR. TIECHE: Very good. Thank you.

MR. MORVAY: Christine Clayton our Finance Director; how are we doing financially?

FINANCE DIRECTOR: I'm working with the state auditor's right now as part of the 2020 audit. They started working on it although the report is not filed yet. That will be done by the end of this month. I'm also going to be sending out letters to area banks depository agreements. We do this every 5 years. I also just got an email from our property liability vehicle insurance company and I need to start gathering information for our renewal July 1st.

MR. MORVAY: Thank you, Christine. Mr. Mike Cook, our Zoning Inspector.

ZONING INSPECTOR: For the month of April we issued 33 permits for a total valuation of \$655,881.00. Charlie Masters will be in tomorrow for a meeting on construction drawings on Plat 10 in Stonebridge. He'll be going forward with that. He is planning on coming in June to Planning with that project.

I just talked to the Fire Chief today, Steve Cocca resolved the turnaround for the fire truck, the cul-de-sac was too small, so he's going to put a little road in there and they can back in 70 feet from the cul-de-sac and get out of the development.

I did send about 4 or 5 letters out for grass. I talked to a couple owners, there is one on 40 East Main it's a company that has that and they have to get an okay from bank. I sent them a letter. If they do not cut it timely, we'll take care of that. The realtor was supposed to cut the one on South Broad this last week.

MR. MORVAY: Thank you, Mike. I'll move to our City Manager, Wade Calhoun.

MR. CALHOUN: Last Monday, Eastgate Council of Governments awarded their Planning Grant recipients. The City of Canfield was one of those with our application for the Cardinal Connector Project: which is the study of connecting where the bike spur comes to Canfield High School connecting that to the unofficial Bradford Trail that leads to CH Campbell. Then

ultimately getting that connection to the Village Green where there are dedicated bike lanes, some sort of signage, sharrows painted onto the street itself. That's what the study is going to determine what the best course of action is. The total study was \$15,000, the awarded grant from Eastgate is \$9,000.00, total cost to the city for the study was only \$6,000.00.

We had our pre-construction meeting with FJA Developers for the Millennial Moments property last week. The developer is experiencing significant delays in materials, mainly water and sewer lines. So, those are the first two things that they were going to install, sewer lines being the first thing. So, myself, our city engineer and our public works superintendent, John Rapp, met on site, our city engineer talked through a number of issues, points of contact doing the project. Then inspections, who is conducting those; which will most likely be MS from our side but the developer also has their quality engineer on site. We'll have status updates at least once a month as we progress through the project, if we need to have them more often, then we will. Just waiting on when we anticipate starting that infrastructure.

Staff also met on Tuesday with MS. We recently approved the Hilltop drainage area study; it starts at 46 and study's the entire area from 46 to Talsman Drive, all of the associated neighborhoods, Hilltop, Skyline, Callahan, Neff and understanding the drainage, where the water is going and what this system is currently sizing. Much like we did with the Bradford/Briarcliff study a couple of years ago. So, John and I met on site and walked the underground culvert that currently exists for the modelers from MS to get a better picture of exactly what everything was on site, where connections were, a better understanding of what it looks like, not when you're seeing GIS on a computer screen. It was very valuable. We took a number of pictures inside the culvert itself. John and I had the pleasure of going in there and duck walking around. It was our fun day yesterday.

As he mentioned today just spending some time, over the last few days, going through some areas of storm water. We had a couple significant rains this week where we got a pretty good accumulation in a small amount of time. Hopefully we can identify and pinpoint those areas, if there are small, quick fixes we can do, we'll go ahead and plan those. As John mentioned, there is a failed, original developers pipe on Sleepy Hollow that goes through middles and back yards that is part of, most likely the original developers storm drain system. Ultimately, it's now the city's by default. What we'll do in planning for that improvement is get those dedicated easements for the future maintenance, operation of that storm sewer. We were with residents on Shadydale today, there is pretty significant drainage that comes along the bike trail and then ultimately, where Shadydale dips down and kind of makes its way onto some properties, it looks like there may be a failed pipe that's there. The catch basins are more than adequate size and the piping to handle the water. I think what we saw and observed is the water is just not getting in. So, our crews are going to camera the lines and then potentially do a small pipe fix for that area. Again, just constantly and analyzing and assessing those different areas, we can take care of the storm water problems in the city. That is all I have.

MR. MORVAY: We'll move to our Clerk, Patty Bernat. Do you have anything for us?

CLERK: Not tonight.

MR. MORVAY: Okay, thank you.

ATTY. FORTUNATO: Mike and I are starting to dig into the zoning code matrix provided by MS, in terms of the Comprehensive Plan verses current zoning, what doesn't jive, what doesn't match. We've all talked it. We had a conference call, Wade, myself, Mike and the people from MS. Mike and I are going to try to meet next week and make some more progress on that. We about finalizing the amendment to the current SRO Agreement; which is great news. I think that will be wrapped up over the next couple of weeks. I'm working on a variety of different ordinances that are kind of working their way through the system. John has asked me to revise and update the cemetery rules and regulations for both the purposes of foundation installation and the columbarium. That may be an entire rewrite actually having looked at the ordinance today. Wade has asked me to take a look at providing some language in the subdivision regulations for the installation of fiber optics in the subdivisions. So, we're just kind of dipping our toes in that a little bit. That's really about it.

MR. MORVAY: Council, any questions for these reports that you've just heard? Hearing none, I'll open it up to residents. Keep it to the point about any one of these reports that you've just heard and please keep it brief. I don't see anybody wishing to speak. We'll move on.

Under Persons Desiring to Appear Before Council:

MR. FRANK MICCHIA: Good evening, Frank Micchia, 220 Glenview. A little bit of census information. Between 2010 and the latest census the City of Canfield lost 4.8% of their population, 7539 down to 7172. That's not a good trend. Where are all these people going to come from to populate Red Gate? In the census 94.9% of households have computers, 23.3% of the population is above 65 years old (not me of course). There are 2989 households in the city, females make up 52.8% of the population. These facts should be considered in our plans for the city for the future. Some time ago there was an astute gentleman who wrote a letter to the editor about flooding here in the city. I think there are some good ideas in there to look at that we can implement fairly quickly. I conclude with a quote from Yogi Berra "You better cut the pizza in four pieces because I'm not hungry enough to eat six."

MR. MORVAY: Thank you, Frank. Anybody else that would like to appear before council? We'll move on.

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

Under **NEW BUSINESS**:

ITEM A: An Ordinance Authorizing The City Manager To Enter Into An Agreement With Rudzik Excavating, Inc for Red Gate Farms Sanitary Sewer Extension Phase 1.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of two readings of the proposed Ordinance and authorize adoption of the same upon its first reading.

MR NACARATO: Second.

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

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Ordinance and authorize adoption of the same upon its first reading.

MR. TIECHE: Second.

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

MR. TIECHE: Mr. President, I have an Ordinance Authorizing the City Manager to Enter Into An Agreement with Rudzik Excavating, Inc. For Red Gate Farms Sanitary Sewer Extension Phase 1. I move for passage.

MR. NEFF: Second.

MR. MORVAY: Wade can you brief us on this?

MR. CALHOUN: As part of our planned utility extension, city staff has been working with our city engineers, MS Consultants for the planning and design of the sanitary sewer system either expansion or extension for Red Gate. This phase 1 deals primarily with the expansion of a currently existing 12-inch sanitary sewer pipe that runs from Hunter's Woods Boulevard east to the main interceptor at the Mill Creek Metroparks Bike Trail. We'll upsize that 12-inch sanitary sewer pipe to an 18-inch sanitary sewer pipe. This project was advertised April 6th and April 13th, the bid opening took place the day of our last council meeting April 21st. We received 6 bids in total. The apparent low bidder was Rudzik Excavating for a price not to exceed \$1,181,000.00. The design portion of this project, I believe was \$300-\$350 thousand dollars was completed with Ohio EPA Loan Funds, through the water pollution control loan fund (WPCLF) an acronym, Council is probably aware because I've said it multiple times. What we can do now with this construction loan, the intent would be to also utilize this loan for the construction of phase 1. We can roll the design loan of \$300,000 or so into the construction loan, so it would end up being a total loan of approximately \$1.5 million. Currently the interest rates on WPCLF loans are .38%, so not as good as our zero percent Eastgate loans that we typically go after but

pretty darn good. As part of sponsorships that we can do for other municipalities or public entities that are also utilizing Ohio EPA Funds, we have signed an agreement or a letter of intent to sponsor the City of Youngstown's dam removal project. They're using another one of the acronym loan funds but what that does for the City of Canfield (1) We're supporting another municipal entity (2) It could potentially reduce our interest rate up to another .1%. Not significant in terms of total project but again, any reduction we can get on a very low rate, we'll go after. This legislation awards the project to Rudzik Excavating for the Red Gate Farms sanitary sewer phase 1 for an amount not to exceed \$1,181,000.00. You'll see in the Ordinance that the Ordinance is contingent upon us receiving the Ohio EPA WPCLF Construction Loan Fund. We just submitted that application, we're going through that process. We have no indication that we're not going to be awarded those funds. As part of the Ohio EPA requirements they made sure that we put that in the legislative language, so that in the event it goes through the application process and it doesn't get awarded, we're not on the hook for ultimately awarding the project to fund the 1.2 million dollars.

MR. TIECHE: The total cost of this project, is this going to be broken down into and charged to lot assessment fees for anybody tapping onto this sewer line, whether it's in the JEDD or Red Gate or anything out there, will those costs all be assigned to that project? So, when people start developing out there we'll get some

MR. CALHOUN: Yes, so typically with the JEDD, we passed legislation last year creating that sanitary sewer district for the JEDD Properties, so that anybody that ties in will have an assessment fee. Then we'll most likely very soon do the same thing for the Red Gate Farm property. Anybody that's tying into that, whatever the total cost of this project plus phase 2, and potentially 3, depending if it's broken up into 3 phases, to then extend it south down Palmyra with the sanitary sewer will be assessed whatever that total cost is, broken up by the anticipated potential users of the system.

MR. TIECHE: Okay, that's what I was getting at.

MR. MORVAY: Council any other questions? Hearing none, I'll open it up to residents.

MR. MICCHIA: Frank Micchia, 220 Glenview. What is the term of this loan?

MR. CALHOUN: Twenty years.

MR. MICCHIA: If we have say, 4 million dollars tied up in Red Gate right now, isn't that another million and a half bucks into that concept of that project. Now we're at 5.5 million dollars, with little hope of recouping these monies and again, we're throwing more good money at bad money. Red Gate is a white elephant that the city has been paying for. Don't do it.

MR. DUFFETT: I'd like to comment. Mr. Micchia, we're American Legion Brothers and I'd like you but I totally disagree with you. If you go to the meetings that I go to about economic development in this area, we know we got the number one school in the area, exceeding even

Poland. My good friend from Poland. It's not even close anymore. These people that are going to be moving in for LG Chem and also Lordstown Motors, when they get it straightened out, they got 2 choices, one would be if they want to live in Trumbull County and go to Lakeview or second, Canfield. That's where the people are coming from. Secondly, when I talk to the alumni, there are a lot of people, like myself, that have gotten older and want to come back to their hometown. They've done all their growing or getting older and are looking at retirement. We're the number one city, that was voted on, to be retired in, in the State of Ohio 3 years ago. Between retirement people coming here, between new businesses coming here, this is an investment. I'd like to talk to you 10-20 years from now and you'll say you were right, Duff.

MR. MICCHIA: I hope.

MR. DUFFETT: I don't think there is a hope to it. I think if we just follow the plan, it just takes a while. I know you're committed to saying we're throwing bad money, I don't see how you can say we're throwing bad money at property in Canfield. I've never heard of that. I've never of a bad investment in Canfield when it comes to property. This is going to be a well-planned group of whatever we decide to do and we can't always share that. I would say stand by optimistically, as we used to say in the military. Thank you.

MR. MORVAY: You're welcome. Wade and I had some discussion with some folks about broadband throughout the city. This is where it's going to be. I mean, my children have moved back and are now working from my house right now, they bought a new house in Canfield, they bought a house here in Canfield recently; so, they'll be moving. But the point is, my son-in-law works in Chicago but he actually works in Canfield, Ohio now and it's because of this broadband, this internet that he's able to do that. As we go along we're going to have more and more people in this same situation, to be able to live in Canfield and work in New York, work in Chicago, it's coming guys. Wade is receptive and we've taken some steps and he's talked to Mark already about putting legislation in about the conduit and when we have new construction that we have the infrastructure started. These are exciting times. I agree with you Mayor. Frank, I'd love to have that discussion with you in about 15-20 years. But that's another story.

MR. DUFFETT: Maybe sooner.

ATTY. FORTUNATO: You can dial in and attend the meeting in 20 years.

MR. MICCHIA: It's probably going to be pretty hot. (Laughter)

MR. MORVAY: This Canfield, you get ingrained in it and it's hard to leave this family atmosphere. I think more and more of our young people are going to be moving back into this community. Again, living here, working in another city. Anyway, that's just my opinion. Anyone else want to comment on this Ordinance before we take a vote? Hearing none, roll call please.

ROLL CALL ON ORDINANCE:

5 Votes-Yes
0 Votes-No
Ordinance passes.
Ordinance 2021-24.

Under **COUNCIL COMMENTS:**

MR. NEFF: I was wondering why we have what looks to be great athletes here tonight. Are they attending to see government in action? You're earning school points. (Laughter).

MR. DUFFETT: What class?

UNIDENTIFIED MAN: A.P. Government.

MR. DUFFETT: Who is your teacher?

UNIDENTIFIED MAN: Mike Pavlansky.

MR. NACARATO: You came on the right night, it's a light night.

MR. MORVAY: Listen, do yourself a favor, learn how this government works. It's interesting and you'll benefit from it. I encourage you to do that. Anything else? Mr. Nacarato could you get us into Executive Session?

MR. NACARATO: Mr. President, I move to convene into Executive Session pursuant to Section 121.22 (g) (4) pertaining to reviewing negotiations or bargaining session with public employees concerning their compensation or other items and conditions to their employment.

MR. TIECHE: Second.

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.

MR. MORVAY: We'll go into Executive Session when we come out we'll probably not be taking any action. If you want to wait you can.

Council convened into Executive Session at 6:10 P.M.

Council reconvened from Executive Session at 6:33 P.M.

Mr. Nacarato made a Motion to adjourn.

Mr. Neff seconded the Motion.

The meeting was adjourned at 6:33 P.M.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL