

AGENDA

CANFIELD CITY COUNCIL

April 20, 2022-5:30 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 578 at 2 Brookpark from "R-1" Single Family Residential to "R-O" Residential Office.

Description:

As part of the Comprehensive Plan, our planning consultants examined the current zoning map of the City of Canfield and based on the feedback from the steering committee with insights from the consultants a future land use map (FLUM) was established. A FLUM's intent is to create a visual representation of desired land use patterns to guide decision-making on growth and change.

Staff has identified the property to potentially be rezoned in order to align with the adopted Canfield Comprehensive Plan. The Planning & Zoning Commission discussed at their March 10th and April 14th meetings and have recommended approval of the rezone for this property.

This ordinance amends ordinance 1973-44 by rezoning Lot 578 at 2 Brookpark from “R-1” Single Family Residential to “R-O” Residential Office.

Action Needed:

Approval of ordinance amending Ordinance 1973-44 by rezoning Lot 578 at 2 Brookpark Drive from “R-1” Single Family Residential to “R-O” Residential Office.

Attachment(s):

Ordinance amending ordinance 1973-44 by rezoning Lot 578 at 2 Brookpark from “R-1” Single Family Residential to “R-O” Residential Office.

Planning & Zoning Recommendation Letter (March 10th & April 14th)

Future Land Use Map (Comprehensive Plan pg. 42-43)

Public Comments

- B. An **Ordinance** Amending Ordinance 1973-44 Rezoning Lot 2700 at 370 East Main Street from “R-2” Single Family Residential to “R-O.” Residential Office.

Description:

As part of the Comprehensive Plan, our planning consultants examined the current zoning map of the City of Canfield and based on the feedback from the steering committee with insights from the consultants a future land use map (FLUM) was established. A FLUM’s intent is to create a visual representation of desired land use patterns to guide decision-making on growth and change.

Staff has identified the property to potentially be rezoned in order to align with the adopted Canfield Comprehensive Plan. The Planning & Zoning Commission discussed at their March 10th and April 14th meetings and have recommended approval of the rezone for this property.

This ordinance amends ordinance 1973-44 by rezoning Lot 2700 at 370 East Main Street from “R-2” Single Family Residential to “R-O” Residential Office.

Action Needed:

Approval of ordinance amending Ordinance 1973-44 by rezoning Lot 2700 at 370 East Main Street from “R-2” Single Family Residential to “R-O” Residential Office.

Attachment(s):

Ordinance amending ordinance 1973-44 by rezoning Lot 2700 at 370 East Main Street from “R-2” Single Family Residential to “R-O” Residential Office.

Planning & Zoning Recommendation Letter (March 10th & April 14th)

Future Land Use Map (Comprehensive Plan pg. 42-43)

Public Comments

- C. An **Ordinance** Amending Ordinance 1973-44 Rezoning Lot 41 at 16 N. Hillside Road from “R-2” Single Family Residential to “R-O” Residential Office.

Description:

As part of the Comprehensive Plan, our planning consultants examined the current zoning map of the City of Canfield and based on the feedback from the steering committee with insights from the consultants a future land use map (FLUM) was established. A FLUM’s intent is to create a visual representation of desired land use patterns to guide decision-making on growth and change.

Staff has identified the property to potentially be rezoned in order to align with the adopted Canfield Comprehensive Plan. The Planning & Zoning Commission discussed at their March 10th and April 14th meetings and have recommended approval of the rezone for this property.

This ordinance amends ordinance 1973-44 by rezoning Lot 41 at 16 N. Hillside Road from “R-2” Single Family Residential to “R-O” Residential Office.

Action Needed:

Approval of ordinance amending Ordinance 1973-44 by rezoning Lot 41 at 16 North Hillside Rd. from “R-2” Single Family Residential to “R-O” Residential Office.

Attachment(s):

Ordinance amending ordinance 1973-44 by rezoning Lot 41 at 16 North Hillside Rd. from “R-2” Single Family Residential to “R-O” Residential Office.

Planning & Zoning Recommendation Letter (March 10th & April 14th)

Future Land Use Map (Comprehensive Plan pg. 42-43)

Public Comments

- D. An **Ordinance** Amending Ordinance 1973-44 Rezoning Lot 44 on East Main Street from “R-2” Single Family Residential to “R-O” Residential Office.

Description:

As part of the Comprehensive Plan, our planning consultants examined the current zoning map of the City of Canfield and based on the feedback from the steering committee with insights from the consultants a future land use map (FLUM) was established. A FLUM’s intent is to create a visual representation of desired land use patterns to guide decision-making on growth and change.

Staff has identified the property to potentially be rezoned in order to align with the adopted Canfield Comprehensive Plan. The Planning & Zoning Commission discussed at their March 10th and April 14th meetings and have recommended approval of the rezone for this property.

This ordinance amends ordinance 1973-44 by rezoning Lot 44 on East Main Street from “R-2” Single Family Residential to “R-O” Residential Office.

Action Needed:

Approval of ordinance amending Ordinance 1973-44 by rezoning Lot 44 on East Main Street from “R-2” Single Family Residential to “R-O” Residential Office.

Attachment(s):

Ordinance amending ordinance 1973-44 by rezoning Lot 44 on East Main Street from “R-2” Single Family Residential to “R-O” Residential Office.

Planning & Zoning Recommendation Letter (March 10th & April 14th)

Future Land Use Map (Comprehensive Plan pg. 42-43)

Public Comments

11. NEW BUSINESS

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

- A. An **Ordinance** Amending Section 947 of the Canfield Codified Ordinances Municipal Cemeteries.

Description:

In order to finalize the Columbarium Project at East Main Cemetery and to allow for columbarium niches to be available for purchase, a fee schedule must be established. Staff has prepared the applicable rates for a single and double columbarium niches. Additional updates were made to the opening and closing fees associated with the columbarium niches and cremations.

This ordinance amends section 947 “Municipal Cemeteries” of the Canfield Codified Ordinances to add fees associated with the columbarium to be installed at the E. Main Cemetery.

Action Needed:

Approval of ordinance amending Section 947 “Municipal Cemeteries” of the Canfield Codified Ordinances.

Attachment(s):

Ordinance amending Section 947 “Municipal Cemeteries”

Chapter 947 “Municipal Cemeteries” (April 2022 Revision)

Public Comments

- B. An **Ordinance** Amending the Cemetery Rules and Regulations of the City of Canfield.

Description:

As staff prepares for the finalization of the Columbarium Project for East Main Cemetery, additional amendments were needed to appropriately update the Cemetery Rules and Regulations. Staff has provided additional regulations under Section 3. "Columbarium" in order appropriately capture the updates needed for the newly added columbarium option for burials at East Main Cemetery.

This Ordinance amends the Cemetery Rules and Regulation of the City of Canfield

Action Needed:

Approval of ordinance amending the cemetery rules and regulations of the City of Canfield.

Attachment(s):

Ordinance amending the Cemetery Rules and Regulations of the City of Canfield

Cemetery Rules and Regulations (April 2022 Revision)

Public Comments

- C. A **Resolution** Amending the Real Estate Transfer and Development Agreement with Canfield Local School District.

Description:

The City of Canfield ("City") and the Canfield Local School District ("District") entered into a real estate transfer and development agreement on February 9, 2022. Through further conversations with the District on the location of buildings it was determined that the language specifying the location of the land being transferred would need to be amended to comply with the Annexation Agreement between the City of Canfield and Canfield Township. This annexation agreement restricts the use on the parcel south of Leffingwell Rd.

This resolution authorizes the City of Canfield to enter into an amended agreement with Canfield Local School District in order to more accurately reflect the portion of Red Gate Farm that will be redeveloped as part of the real estate transfer and development agreement between the City and the District.

Action Needed:

First reading of resolution amending the real estate transfer and development agreement with Canfield Local School District.

Attachment(s):

Resolution amending the real estate and development agreement with Canfield Local School District.

Amended Real Estate Transfer and Development Agreement with Canfield Local School District.

Public Comments

12. Council Comments.
13. Adjournment

Introduced By: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 1973-44
REZONING LOT 578 AT 2 BROOKPARK
FROM “R-1” SINGLE FAMILY RESIDENTIAL TO “R-O”
RESIDENTIAL OFFICE.

WHEREAS, the Council of the City of Canfield, Ohio desires to rezone lot 578
at 2 Brookpark; and

WHEREAS, the Planning & Zoning Commission has recommended these zone
changes to Council; and.

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

Section 1: Situated in the City of Canfield, County of Mahoning and State of
Ohio Lot 578 at 2 Brookpark from “R-1” Single Family Residential to “R-O” Residential
Office.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2022.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

Introduced By: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 1973-44
REZONING LOT 2700 AT 370 EAST MAIN STREET
FROM “R-2” SINGLE FAMILY RESIDENTIAL TO “R-O”
RESIDENTIAL OFFICE.

WHEREAS, the Council of the City of Canfield, Ohio desires to rezone lot
2700 at 370 East Main Street; and

WHEREAS, the Planning & Zoning Commission has recommended these zone
changes to Council; and.

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

Section 1: Situated in the City of Canfield, County of Mahoning and State of
Ohio Lot 2700 at 370 East Main St. from “R’2” Single Family Residential to “R-O”
Residential Office.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2022.

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

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. _____ Passed _____, 20_____

Introduced By: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 1973-44
REZONING LOT 41 AT 16 N. HILLSIDE RD
FROM “R-2” SINGLE FAMILY RESIDENTIAL TO “R-O”
RESIDENTIAL OFFICE.

WHEREAS, the Council of the City of Canfield, Ohio desires to rezone lot 41
at 16 N. Hillside Rd; and

WHEREAS, the Planning & Zoning Commission has recommended these zone
changes to Council; and.

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

Section 1: Situated in the City of Canfield, County of Mahoning and State of
Ohio Lot 41 at 16 N. Hillside Rd. from “R-2” Single Family Residential to “R-O” Residential
Office.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2022.

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

RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. _____ Passed _____, 20_____

Introduced By: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 1973-44
REZONING LOT 44 FROM R-2 SINGLE FAMILY
RESIDENTIAL TO R/O RESIDENTIAL OFFICE.

WHEREAS, the Council of the City of Canfield, Ohio desires to rezone lot 44
on E. Main St; and

WHEREAS, the Planning & Zoning Commission has recommended these zone
changes to Council; and.

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

Section 1: Situated in the City of Canfield, County of Mahoning and State of
Ohio Lot 44 on E. Main Street is hereby rezoned from R-2 Single Family Residential to R/O
Residential/Office.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2022.

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: MARCH 10, 2022

TO: MEMBERS OF COUNCIL

**FROM: MIKE COOK, SECRETARY
PLANNING AND ZONING COMMISSION**

**SUBJECT: A RECOMMENDATION TO COUNCIL TO REZONE LOT 44 AT 369 E
MAIN ST., LOT 2700 AT 370 E MAIN ST., LOT 41 AT 16 N HILLSIDE
DR. FROM R-2 (SINGLE FAMILY) TO R-O (RESIDENTIAL-OFFICE)
AND LOT 578 AT 2 BROOKPARK DR. FROM R-1 (SINGLE FAMILY)
TO R-O (RESIDENTIAL-OFFICE).**

At the regular meeting of the Planning and Zoning Commission on March 10, 2022, the following motion was made:

Mr. Palermo made a motion to recommend Council Rezone Lot 44 at 369 E Main St., Lot 2700 at 380 E Main St., lot 41 at 16 N Hillside Dr. from R-2 (Single Family) to R-O (Residential-Office) and Lot 578 at 2 Brookpark from R-1 (Single Family) to R-O (Residential-Office)..

The motion was seconded by Mr. Kristan.

This motion passed 3 - 0



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 14, 2022

TO: MEMBERS OF COUNCIL

**FROM: MIKE COOK, SECRETARY
PLANNING AND ZONING COMMISSION**

**SUBJECT: A RECOMMENDATION TO COUNCIL TO REZONE LOT 44 AT 369 E
MAIN ST., LOT 2700 AT 370 E MAIN ST., LOT 41 AT 16 N HILLSIDE
DR. FROM R-2 (SINGLE FAMILY) TO R-O (RESIDENTIAL-OFFICE)
AND LOT 578 AT 2 BROOKPARK DR. FROM R-1 (SINGLE FAMILY)
TO R-O (RESIDENTIAL-OFFICE).**

At the regular meeting of the Planning and Zoning Commission on April 14, 2022, the following motion was made:

Mr. Decapua made a motion to recommend Council Rezone Lot 44 at 369 E Main St., Lot 2700 at 380 E Main St., lot 41 at 16 N Hillside Dr. from R-2 (Single Family) to R-O (Residential-Office) and Lot 578 at 2 Brookpark from R-1 (Single Family) to R-O (Residential-Office)..

The motion was seconded by Mr. Palermo.

This motion passed 5 - 0

Introduced By: _____
First Reading: _____

ORDINANCE

An Ordinance Amending Section 947 of the Canfield
Codified Ordinances Municipal Cemeteries

WHEREAS, Chapter 947 of the Canfield Codified Ordinance establishes fees for internment or inurnment, grave site service fees and grave opening fees; and

WHEREAS, Council deems it desirable to modify cemetery fees.

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

Section 1. That codified Ordinance Section 947.02 is hereby amended to provide fees as follows:

GRAVE SITE	PLOT CHARGE	SERVICE SURCHARGE	TOTAL
Resident	\$500.00	\$300.00	\$800.00
Non-Resident	\$500.00	\$600.00	\$1,100

COLUMBARIUM - SINGLE NICHE	NICHE CHARGE	SERVICE SURCHARGE	NICHE EMBLEM (OPTIONAL)	TOTAL	TOTAL W/EMBLEM
Resident	\$1,300.00	\$300.00	\$150.00	\$1,600.00	\$1,750.00
Non-resident	\$1,300.00	\$600.00	\$150.00	\$1,900.00	\$2,050.00
*Niche Price includes Plaque, Name & Year Inscriptions and Vase					

COLUMBARIUM - DOUBLE NICHE	NICHE CHARGE	SERVICE SURCHARGE	NICHE EMBLEM (OPTIONAL)	TOTAL	TOTAL W/EMBLEM
Resident	\$2,200.00	\$300.00	\$150.00	\$2,500.00	\$2,650.00
Non-resident	\$2,200.00	\$600.00	\$150.00	\$2,800.00	\$2,950.00
*Niche Price includes Plaque, Name & Year Inscriptions and Vase					

Section 2: That Codified Ordinance Section 947.03 is hereby amended to provide fees as follows:

(a) The fees for openings and closings are as follows:

Opening & Closing Fees	Monday – Friday*	Saturday & Lesser Holidays
Adult	\$650.00	\$800.00
Child	\$350.00	\$400.00
Cremation	\$550.00	\$600.00
Niche	\$100.00	\$150.00
Disinterment (urn)**	\$700.00	
Disinterment**	\$1,300.00	
* Funerals arriving at the cemetery after 2:00pm will be charged the “Saturday and lesser Holiday’s” fees. **Monday – Friday only (Normal Business Hours)		

Section 3: 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., 2022.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

Introduced by: _____
First Reading: _____

**AN ORDINANCE AMENDING
THE CEMETERY RULES AND REGULATIONS
OF THE CITY OF CANFIELD**

WHEREAS, the Public Work Superintendent, Law Director and City Manager have recommended amending the Cemetery Rules and Regulations of the City including but not limited to providing provisions for columbarium's; and

WHEREAS, the Council of the City of Canfield desires to amend the Cemetery Rules and Regulations of the City.

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

Section 1. That the Cemetery Rules and Regulations of the City of Canfield are hereby amended to read as attached hereto as Attachment 1.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D.,
2022.

ATTEST

PRESIDENT OF COUNCIL

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:

_____.

APPROVED AS TO FORM:

CLERK OF COUNCIL

MUNICIPAL ATTORNEY

RULES AND REGULATIONS OF CANFIELD CEMETERIES

EFFECTIVE MARCH 1, 1978
REVISED JULY 12, 1994
REVISED MARCH 19, 1997
REVISED DECEMBER 20, 2017
REVISED SEPTEMBER 19, 2018
REVISED AUGUST 18, 2021
REVISED APRIL 20, 2022

"RULES AND REGULATIONS CANFIELD CEMETERIES"

Section 1. Purchase of rights of interment or inurnment.

Item 1. Cemetery lots and Columbarium niches may be purchased at the Cemetery Office in the Central Facilities Building (Broad Street). Each lot contains four (4) graves sites.

Item 2. Single graves will be sold where available.

Item 3. Graves must be paid for in-full at time of purchase.

Item 4. Any single family shall be limited to purchasing eight (8) grave sites. For purposes of these Rules and Regulations, "family" shall mean a group of individuals related by blood or marriage.

Item 5. It shall be the duty of the holder of the Certificate for Right of Interment or Inurement to notify the office of the Cemetery of any change in address. Notice sent to a holder at the last address in the Cemetery's records shall be considered sufficient and proper legal notification.

Item 6. When a purchase of the right of Interment or Inurement is made, a list of the names and addresses of the persons whom the Deed may subsequently pass shall be included in writing. Should a subsequent change be necessary, the purchaser should notify the City of Canfield in writing of the name and address of any individual(s) to whom the Right of Interment would descend.

Item 7. If the City of Canfield becomes aware of the death of all related parties, failure of their heirs or executors to claim the Right for Interment within five (5) years from the death of the last family member shall result in the forfeiture of the Right for Interment. Any claims to a Right of Interment by an heir or executor must be accompanied by a death certificate/obituary and by a Certified Letter of Authority for Executors/Administrators.

Item 8. The container for cremated remains to be inurned shall be of material approved by the City of Canfield and be of a suitable size. The City or its representative shall have full authority to refuse to accept any receptacle deemed unsuitable.

Section 2. Interments:

Item 1. Permits for burials are issued by the Mahoning County Board of Health and are required for interment or inurnment. Certificates of cremation are also acceptable, for inurnments.

Item 2. Payment for opening and closing of graves must be made at time of interment or inurnment.

Item 3. When instructions regarding the location of an interment space in a lot cannot be obtained, or are indefinite, or for any reason, the graves cannot be opened where specified, the Sexton may, at his discretion open it in such location in the plot, as he deems best and proper and the City shall not be responsible or liable for damages for any error so made.

Item 4. The cemetery Sexton, or designee, must be notified of a burial no less than 24 hours prior to the time of burial.

Item 5. In the event of emergencies or inclement weather conditions, burials will be conducted at the discretion of the Sexton or designee.

Item 6. Funerals are not permitted on Sundays or the following holidays: New Year's Day, President's Day, Good Friday, Easter Sunday, Memorial Day, Independence Day Labor Day, Thanksgiving Day, Day After Thanksgiving, Christmas Eve and Christmas Day except as necessary to comply with Ohio State Law.

Item 7. Vaults must be made of concrete or metal.

Item 8. Only 1 full interment is permitted per grave. A full interment and one (1) inurnment (cremation) or two (2) inurnments (cremations) are permitted per grave.

Item 9. If a cremation (inurnment) and full interment are to be made on one grave, the full interment must be done prior to the inurnment.

Item 10. Regardless of whether two (2) inurnments are made together, or a full interment and inurnment are made at the same time, separate opening and closing fees are required for each.

Item 11. Hours of interment: Between 8:00 - 2:00 p.m. After 2:00 p.m. charges made in accordance with Saturday burial fees as reflected in Canfield Codified Ordinance Chapter 947 as amended from time to time.

Section 3. Columbarium

Item 1. Columbarium(s) shall be used exclusively for the storage of cremated human remains only.

Item 2. Each single columbarium niche shall be 11 ½" squared at the opening, 11 ½" deep and tapers to 10 ½" at the rear and shall store one (1) cremated remain. Each double columbarium niche shall be 11 ½" squared at the opening, and approximately 23" deep and may store two (2) cremated remains.

Item 3. Niches shall be assigned in the order that applications are made.

Item 4. Niches cannot be resold except back to the City of Canfield, subject to the approval of the Sexton, or designee and at the original purchase price. The City of Canfield reserves the right of refusal to repurchase.

Item 5. All plaques and inscriptions will be uniform containing only the name, year of birth and year of death of the individual and shall be from the approved Cemetery Price List (Section 8).

Item 6. All emblems or vases shall be kept uniform and shall only be from the approved Cemetery Price List (Section 8)

Item 7. Urns must be made of material suitable for interment within a niche. The Sexton, or designee shall have full authority to refuse to accept any receptacle deemed unsuitable.

Item 8. The City of Canfield will be responsible for the care and repair to the columbarium. The City of Canfield will take all reasonable care to ensure the safety of the interred remains. The City of Canfield will not be held responsible for the loss or destruction of interred remains due to vandalism, acts of nature or any unforeseen circumstances.

Item 9. No flower arrangements, plants, wreaths, artificial flowers, toys or mementos will be allowed to be placed near the columbarium at any time, except at the time of interment. The City of Canfield reserves the right to remove any such ornamentation or correct any such alteration at the expense of the owner without being deemed guilty of any manner of trespass.

Item 10. Funeral decorations will be removed in seven days after the interment or at the discretion of the cemetery Sexton, or designee. The City will assume no responsibility for the safe keeping of any floral memorial or container.

Item 11. Niche openings can only be performed by the cemetery Sexton, or designee. Anyone, other than a city employee, who attempts to open a niche, will be prosecuted under state and local laws. Any acts of vandalism will also be prosecuted under state and local laws.

Section 4. Disinterments:

Item 1. All laws of Ohio regarding disinterment shall be complied with. Applications for disinterment should be made by next of kin of the deceased and consent of the owner of the lot involved must be obtained.

Item 2. Payment for disinterment shall be made in advance; the person(s) requesting a disinterment are responsible for the cost of having a vault company available to exhumate the vault.

Item 3. The Sexton will use utmost care in making removals, but will not assume any liability for any damage incurred in so doing.

Item 4. Charges for disinterment shall be based on time and materials.

Section 5. Foundations, Monuments and Markers:

Item 1. Monuments and markers shall be set on concrete foundations

Item 2. Foundations shall be installed by a contractor approved by the City and in accordance with the specifications adopted from time to time by the Public Works

department. All footer and other applicable fees must be paid prior to installation of the footer. Footer locations must be approved by the City prior to installation. A footer application form may be obtained from the Sexton or designee.

Item 3. The monument base shall not exceed the dimension of the foundation.

Item 4. All monuments must be kept in line with others in said section.

Item 5. The owner/family is responsible for maintaining and repairing monuments or markers. If a monument or marker is to be replaced, the party replacing the headstone must request and receive permission from the City of Canfield and must also remove the old headstone from the cemetery.

Item 6. Monuments set in the cemetery east of the center drive (new sections of the cemetery) must be flat markers which are flush with the ground or ledger stones which have no more than a 2" rise. No upright stones are permitted.

Item 7. Headstones on single graves must be 45" or less in width. Headstones spanning two (2) adjoining graves must be 60" or less in width.

Item 8. Monument companies must submit a footer request to the cemetery sexton or his designee prior to the footer being installed. Said request shall contain the stone dimensions and must be approved by the Sexton or his designee.

Item 9. When monument companies set headstones, they shall use sand under the stone so as to make sure the stone is level and does not rock. The City of Canfield is not responsible for damage caused to stones which have not been properly installed.

Item 10. Workmen erecting monuments or headstones shall assume all liability to damage to lawns, trees, shrubbery and other fixtures.

Item 11. All memorials shall meet with the approval of the superintendent, coordinator, sexton or designee before erecting.

Item 12. Monuments must be cut to fit the foundation or monument companies will be responsible for the expense required to pour a new foundation.

Item 13. No memorial shall be allowed to be left at the cemetery unless the foundation is completed.

Item 14. Only one marker per grave will be permitted and must be placed at the head of the grave.

Item 15. Foundations will be poured in spring and fall of each year.

Item 16. Only flat or grass type markers will be permitted to be used unless approved by Sexton in prescribed area.

Section 6. Care of Lots:

Item 1. All lots shall be given the same care except those lots that are endowed and are so designated to receive additional care.

Item 2. The Canfield Cemetery assumes the duty of cutting the lawns and keeping them free of leaves and other trash. Sunken graves will be filled and leveled, resodded, or reseeded.

Item 3. Graves shall be kept level with surrounding turf and flowers or shrubs shall not be planted thereon, in flat marker section.

Item 4. Any flower containers must be light enough to allow city employees to easily move for maintenance purposes. Containers which are difficult to move will be removed by the cemetery sexton or his designee.

Item 5. No more than one vase of flowers is permitted on each grave; these shall be placed in line with the headstone. All other will be removed by Sexton two weeks after Memorial Day. Artificial flowers are NOT permitted to be stuck directly in the ground.

Item 6. May 15 to October 1st One vase, artificial or live. December 1 to March 1st Wreath or artificial vase permitted.

Item 7. All decorations must be removed by March 15th of each year.

Item 8. Fences, curbs, gravel edging, or other types of enclosures are not permitted on lots.

Item 9. Any decorations deemed offensive by the cemetery sexton or his designee will be removed at said person(s) discretion.

Item 10. Canfield Cemetery shall not be liable for lost, misplaced, or broken vases, nor for damage caused by thieves, vandals, or any other cause beyond control.

Section 7. Grounds:

Item 1. Automobiles shall not be driven through the grounds at a greater speed than ten miles per hour and must be parked on the right-hand side of the drive. Care should be taken not to park on narrow drives thus blocking traffic passing.

Item 2. Persons shall not be permitted to have refreshments within the cemetery, nor to sit or lounge on graves and monuments.

Item 3. Persons or vehicles are not permitted in the cemetery after dark.

Item 4. Children shall not be permitted to use the cemetery as a playground.

Item 5. Dogs and horses are prohibited in the cemetery.

Item 6. The Sexton shall have charge of the grounds and control of all persons in the cemetery, including the conduct of all traffic, employees, and shall have the power to enforce the rules and regulations and exclude from the cemetery any person violating same.

Item 7. The City of Canfield owns all cemetery property. A person or persons purchasing a grave or graves **is merely purchasing the right to be buried in that section** of the cemetery.

Item 8. Green burials are **NOT** permitted in cemeteries owned by the City of Canfield.

Item 9. **Scattering or leaving ashes on cemetery grounds is strictly prohibited.**

Item 10. The City of Canfield reserves the right to modify or make additions to these rules and regulations at any time. All rules and regulations previously adopted are hereby repealed.

Section 8. Cemetery Price List: Shall be pursuant to Canfield Codified Ordinance Chapter 947 as amended from time to time."

Section 9. 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.

Introduced By: _____
First Reading: _____

RESOLUTION

A RESOLUTION TO AUTHORIZE ENTERING INTO
AN AMENDED REAL ESTATE TRANSFER AND DEVELOPMENT
AGREEMENT WITH CANFIELD LOCAL SCHOOL DISTRICT.

WHEREAS, the District and the City previously entered into a real estate transfer and development agreement date February 9, 2022; and

WHEREAS, the District and the City desire to amend the agreement to more accurately reflect the area of Red Gate Farm to be redeveloped for the District facilities.

WHEREAS, the City of Canfield is supportive of redeveloping the southern portion of the Red Gate Farms property located north of Leffingwell Rd. into a school and transportation facility in exchange for the site of the current Middle School and transportation facility and other considerations; and

WHEREAS, the District and City will collaborate on certain elements of the development of the new Pre-K-8th grade school in order to achieve efficiencies in the provision of certain utility services and on the redevelopment of the Middle School site through statements of qualifications before the new school opens.

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

Section 1: The Council of the City of Canfield authorizes the City Manager to enter into an amended Real Estate Transfer and Development Agreement with the Canfield Local School District as attached hereto:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2022.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

_____.

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

**AMENDED AND RESTATED
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF
CANFIELD AND THE CANFIELD CITY SCHOOL DISTRICT
CONCERNING THE DEVELOPMENT OF A NEW PRE K- 8TH
GRADE SCHOOL AND RELATED IMPROVEMENTS**

This Real Estate Transfer and Development Agreement ("Agreement") is made and entered into this 31st day of March, 2022 ("Effective Date") by and between the **Canfield City School District Board of Education** ("District"), a public school district and political subdivision under the laws of the State of Ohio and the **City of Canfield** ("City"), a political subdivision under the laws of the State of Ohio (hereafter collectively referred to as the "Parties").

RECITALS

Recitals:

- A.** City is the owner of property commonly known as Red Gate Farms, in Canfield, Ohio (as described on the attached **Exhibit A**, and incorporated by this reference) and consisting of the land and all equipment, improvements, rights, privileges, and easements belonging to or in any way appertaining thereto ("Red Gate Farms").
- B.** District is the owner of a middle school ("Middle School" and known as Permanent Parcel Number _____ consisting of approximately ____ acres) and the transportation facility and parking lot across the street and contiguous to the City Hall as described on **Exhibits B** and **Exhibit C** respectively, and incorporated by this reference and consisting of the land and all improvements, rights, privileges and easements belonging to or in any way appertaining thereto (collectively "the District's Premises").
- C.** District is seeking elector approval of a bond issue that will replace three of its older buildings and renovate portions of the High School; and
- D.** District, in the event of a successful bond issue, intends to build a new Pre K – 8th grade school that will be open to the public and maintained by the District to be located on land provided by the City at Red Gate Farms (the "Project").
- E.** District needs 100 buildable acres with access to roads, limited wetlands and utilities (electricity, gas, water and sanitary sewer) available in the right of way either on Palmyra Road or Leffingwell Road; and
- F.** City and District plan to exchange approximately 100 acres at Red Gate Farms or in the immediate vicinity of Red Gate (contiguous or within ½ mile) for the Middle School and Transportation Facility and parking lot to be built by the District and the City will no longer be required to make lease payments for the elevated water storage tank located on Hilltop Blvd (Hilltop Elementary) currently leased by the City pursuant to Ohio Revised Code § 3313.40, Title 7 of the Ohio Revised Code and Canfield Charter Section 3.08 subject to the terms and conditions hereinafter set forth and to be developed in a subsequent real estate purchase agreement to be finalized and executed by the parties.

NOW, THEREFORE, the City and District agree as follows:

1. Land Exchange. The District and City agree to an exchange of approximately 100 acres at Red Gate or in the immediate vicinity of Red Gate (contiguous or within ½ mile) west of Palmyra and north of Leffingwell (City Property” as described on Exhibits D and E incorporated herein) in exchange for the District Premises pursuant to Ohio Revised Code § 3313.40. It is the intention of City and District to exchange each of their respective properties without compensating the other beyond the exchanged property. The City shall provide 50 acres to the District upon the exercise of the District’s option pursuant to Section 2 below and up to 50 additional acres (“Additional Acres”) on or before _____. Notwithstanding anything to the contrary contained herein, the City’s obligation to transfer the Additional Acres shall be limited to land acquired or provided by the City at a cost not to exceed \$500,000.00 (using comparable land sales as of the date of this Amended and Restated Agreement and the Appraisal Report attached hereto as Exhibit F).

1.1 Survey. Within thirty (30) days after the passage of the bond issue, the City will survey the City property and provide a legal description for the District’s review and approval and the District will survey its property and provide a legal description and map for the City’s review and approval.

2. Timing. The District will have an option to acquire the “City Property” until June, 2023. The District shall provide a certificate of the County Board of Elections as notice to the City that the bond issue has passed. Ninety (90) days following the receipt of such notice, the City will transfer the City Property to the District.

The District, once the new transportation facility is constructed, but in no event later than December 31, 2025, will demolish at its own expense the current transportation facility (excluding the parking lot) unless the City requests that the facility remain standing and transfer the property to the City by executing a Quit Claim Deed. The District will be required to grade such property prior to transfer.

As to the Middle School:

2.1 The City will solicit development proposals for repurposing the Middle School.

2.2 In the event no acceptable proposal is received, as determined by the City, the District will abate and demolish the property and execute a Quit Claim Deed for the District Premises within one hundred and eighty (180) days.

2.3 If a proposal is acceptable to the City, the District will transfer the District’s Property to the City via Quit Claim Deed. If an acceptable proposal is received for a portion of the building, the District will pay up to \$1,000,000 for partial abatement and demolition.

3. Related Improvements. The District will budget for the abatement and demolition of the District Premises. The City will determine if it wants either building or a portion of the Middle School demolished six (6) months prior to the new school opening. If the City so elects, the District will abate and demolish the buildings at its expense and in collaboration.

The City will use its best efforts and diligently proceed to provide or cause to be provided sewer and water utility lines to the corner of Leffingwell Road and Palmyra Road by December 31, 2024 and will waive applicable tap in fees. The District will cooperate with the City in obtaining

grants related to the construction or installation of utilities to the property transferred by the City to the District. The new School will be designed pursuant to the Ohio School Design Manual.

The City and District will collaborate on the design and construction of a landscaped buffer between the property transferred to the District and that retained by the City. The buffer may be a combination of mounding and landscaping. In the event the City transfers its retained property at Red Gate, it will facilitate a discussion between the District and the new Owner to collaborate on the buffer design.

The City may require the District to transfer all or any of its property as described herein to an assignee acceptable to both parties.

The City will zone the property transferred herein to the District as Special "S".

4. Conveyance. All conveyances will be by quitclaim deed (the "Deed"), free and clear from all liens and encumbrances, except the following (collectively, the "Permitted Exceptions") (i) all real estate taxes and assessments, both general and special ("Taxes"), not yet due and payable; (ii) any title and survey exceptions which are not objected to by District or City, respectively, or which are objected to by District or City, respectively, but which City or District, respectively, does not agree to cure or is not required to cure pursuant to the purchase agreement; (iii) zoning and building ordinances; (iv) those matters mutually agreed upon by District and City as set forth in the purchase agreement; when and if closing occurs, good, marketable, indefeasible, fee simple title to the Premises. The City shall transfer all mineral rights along with the exchange of its property. The city will place a deed restriction on the property being transferred limiting the District, or successors thereto, to use the property for school and related purposes only.

5. Condition of the Premises. The District Premises shall be delivered free of all trash, debris, and parties in possession to the City at Closing unless the City request that the buildings are abated and demolished.

6. Projects. The Districts intends to develop a new approximately 200,000 square foot Pre K – 8th grad school on approximately 100 acres in Red Gate with playground facilities and ball fields with space for future expansion. The District shall have exclusive control over the budget and interior design of the School. The Parties will work together on the exterior to create a design that complies with the requirements of the City's Zoning Code and other neighboring developments.

7. Project Collaboration. The City and District intend to reduce expenses by collaborating in the following manner:

A. The City will provide any wetland delineations, environmental assessments, surveys, and geotechnical reports to the District.

B. The District will provide reports of its Premises to the City.

8. Contingencies. The obligations of the parties as described herein are contingent upon:

- i. The passage of a levy satisfactory to the District.
- ii. The City's satisfaction with an economic analysis conducted on its behalf as to the subject property and proposed construction and use.
- iii. The execution of definitive Real Estate Purchase Agreements.

9. Entire Agreement. This Agreement sets forth all of the covenants, promises, agreements, conditions and understandings between the parties and there are no covenants, promises, agreements, conditions or understandings, either oral or written, between them other than those herein set forth.

10. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of Ohio.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed as of the date above first written.

For Canfield City School District ("District")

By: _____

Its: Superintendent of Schools

For City of Canfield ("City")

By: _____

Its: City Manager

MINUTES

CANFIELD CITY COUNCIL

REGULAR MEETING

APRIL 6, 2022-5:30 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. Dragish, Mr. Morvay, Mr. Nacarato, Mr. Neff and Mr. Tieche.

Staff present: Christine Stack-Clayton, Finance Director; Mike Cook, Zoning Inspector; John Rapp, Public Works Superintendent.

Absent: Charles Colucci, Chief of Police.

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

Under **MINUTES**, the MINUTES of the two public hearings on March 16, 2022 were approved as presented. The MINUTES of the Regular Meeting on March 16, 2022 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MR. TIECHE: I believe Council received the Minutes from the Parks Board and the Motion that we passed with regard to a pump track at Fair Park. That concludes the communications that I have.

MR. NEFF: I had communications from a couple of residents asking about the gas line at Red Gate Farm. I think when we get to Wade's presentation, I'll ask him a little more detail, if there is additional information about that.

MR. DRAGISH: I have none.

MR. NACARATO: I have nothing.

MR. MORVAY: First of all, I'd like to recognize Nick Plant. We gave him an award. An absolutely outstanding Track & Field athlete. On March 5th, this was in the paper, Canfield's Nick Plant captured 1600-meter state title. Nick Plant found himself on top of another podium on Friday, the Canfield senior won the 1600-meter race at the Division 1, State Championship at Spire Institute with a clocking of 48:83, just over 2 seconds faster than the next fastest finisher. Nick continues to impress us and represent the City of Canfield.

Also, this was last week, I believe, Canfield art student wins national award. This is Sofia Cianciola. She was awarded a 2022 Scholastic Art and Writing Awards National Gold Medal.

Sher piece titled: Fears of the Present, has been selected from more than 260,000 works of art and writing submitted by 100,000 students across the Nation. Less than 2,000 works receive a National Medal. Congratulations to Sofia. Again, representing our city, our finest students. Canfield Band, Thursday, May 12th, starting at 7:00 in the auditorium is the band concert. I encourage everyone to join in on that and support our band. With that, John the city looks great. I've had a few compliments. I've been getting questions about the brush pick-up. Maybe when your report comes you can inform us about that. Other than that, I don't have any more communications. I'll turn it over to Mr. Calhoun.

MR. CALHOUN: A reminder that City Hall will be closed on April 15th. It's a Good Friday, holiday. As we advertise on our website, the income tax due date is then moved to Monday, April 18th. With the holiday on the 15th, which is the normal income tax due date, that's been moved to Monday, April 18th. A couple kudos from residents. Resident Jim Handle made reference to our clearing of the trees around the Village Green for the flagpole visibility, as you're coming south down North Broad Street. We received a communication from a resident at the corner of Brookpark and Southview, there is a catch basin that a large truck, bus, ran over and basically disintegrated the catch basin and damaged some of the pipe inside. John immediately got the work order initiated. Two of our guys, foreman Greg Wertz and laborer Mark Mook, repaired the storm drain and the resident had very good things to say about both the guys, the way they talked to her and explained what they we're doing, the diligence in which they responded to it. Hopefully, we got a precast one, and this one will be a little more substantial and can take people cutting that corner short. In the winter time, it's hard to see where the road is or isn't. That's what we believe happened. Probably a garbage truck, a truck or a bus. We got it fixed. Two positive comments from residents; which is always nice to hear because we always here when we're not doing a good job, so it's nice to hear when we are doing a good job. As infrequent as it might be.

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

MR. TIECHE: You've received a copy of the Parks, Recreation & Cemetery Board Minutes.

MR. NEFF: We haven't had a recent Planning & Zoning Meeting, so I have no report.

MR. DRAGISH: I have none.

MR. NACARATO: Design Review met last evening. We had several things on our agenda, 7 items. Everything passed. The most important one is we passed a Motion for a special meeting that will be held at 5:00 P.M. on May 3rd, to go over the Design Review plans with MS Consultants.

MR. MORVAY: The Cardinal Joint Fire District, last month, we had a total of 187 calls, we had transports in the ambulance, 100. You see most of our calls are ambulance related. The good news is we had 1 COVID transport. That was it. I have some fact sheets about the upcoming

levy if anybody would like a copy, I have some extras here. I would be more than glad to email you a copy of it also. With that, I'll move over to Mr. Rapp.

PUBLIC WORKS SUPERINTENDENT: The crews have been out today hot patching the holes. They're finally making it. The weather looks like it's vastly improving. Hopefully that stuff stays in there. We are continuing with the meter replacements. We're still really busy doing that. Brush Pick-Up, we started in zone 4 this year. We wanted to give the other zone first rule because we're trying to rotate it every year. Zone 1 doesn't feel like they get enough time to get their stuff out.

MR. CALHOUN: If you recall, last year a resident that was in zone 1, made the comment and I think it was a pretty good idea, that we always start in zone 1 and go, 1,2,3,4. So, everyone in the first week gets rushed. This year we reversed it, starting in zone 4. Also, this year, we're doing brush pick-up fully inhouse. We're not utilizing the services of a third-party contractor. What that does, it essentially allows us to make two trips through the City of Canfield. Each zone will essentially get two pick ups this year, through the month of April and May. Next year we may start in zone 3, so it constantly has that revolving schedule. Someone is not always the first for pick up, or zone 4 is not always the last.

MR. MORVAY: Did we start that John?

PUBLIC WORKS SUPERINTENDENT: We started on Monday. We've been through zone 4, everyday completely through the zone. Everybody should have gotten from approximately Brookpark, that northwest section should have gotten it all picked up. If they have any, they can call and we'll come get it. Next week, we'll be starting like Garwood, zone 3, pretty much the Fair Park area, Main Street area. We'll get all that next week. We'll spend the whole week. At the end of all 4 zones, we'll come back and wrap around and the stuff that people we're able to get out in time. So far, so good. It's going smooth. I found a nice place to take it. They recycle it into bedding for animals. I think we've gotten 3 loads of chips already.

We've had Duke's Root out and our jet truck out with them cleaning the sanitary sewers. Every 3 years in certain sections of the town we treat for root control, the old clay pipes, they have cracks in them. They have a 3-year guarantee, so they're spraying right now. We got out ahead of them and in some instances, we're taking a camera in to check a pipe out, they come in and foam it and it takes care of the roots. That's all I have for tonight.

FINANCE DIRECTOR: I completed all of the major spreadsheets for our GAAP Report and sent them to Julian and Grubb, except for the receivables. I should have that done this week or the next week. Next week, the Auditor of State's Office is having a webinar on Wednesday and Thursday for their spring conference.

ZONING INSPECTOR: For the month of March, we issued 12 permits for a total valuation of \$107,300.00. I spoke to Steve Cocca this week about the Fairground Property he owns off of Fairground, the big barn. He's looking to develop that property. I also spoke to him about Villa

Theresa, the curb is finishing this week, hopefully, the road will be putting in, he's hoping to get approval next month because his testing in, he has to test the lines. Bob Davis, 10 Manor Hill, moved Canfield Rhino Lining to 10 Manor Hill from West Main to East Main.

CLERK: We are starting to think about planning our Strategic Planning Meetings. We we're thinking the last Thursday in April. Let me know if that works.

MR. CALHOUN: To follow-up on that. Do we want to do Wednesdays, like in-between Council or try to pick another day that works best for everybody?

MR. MORVAY: Wednesday's or Thursday's work for me.

MR. NACARATOR: I'm okay with either.

MR. CALHOUN: You'd have conflicts on any single day of the week. Obviously, we probably won't do Monday's or Friday's. So, Tuesday, Wednesday or Thursday, if any of those days don't consistently work, just let us know. I imagine we'll probably have 2 or 3 Strategic Planning Sessions. This will be taking recommendations for implementation from the Comp Plan and put that into a shorter digestible 3 to 5 year, these are the things we're going to work on.

ATTY. FORTUNATO: I do have some items for Executive Session. I haven't heard back from anybody relative to two issues. One was providing for conditionally permitted use for gun ranges in the M-1 District. The second was limitations on Fireworks. You can do nothing. I explained how many days there are under the new law. We can ban them entirely, like we currently do or limit the time and days. Please get back to me about both of those things.

MR. CALHOUN: Assistant Chief Matt Rarick from the Cardinal Joint Fire District was asking what we planned on doing with it. Trying to figure what we're doing, what the township is doing. He said that the State Fire Marshall was going to provide some recommendations. He is going to wait for about 2 years before he comes out with his recommendations. I informed the assistant chief, if they have something from a local standpoint, they can shoot them over to us and we'll shoot it out to council to say, yes that's a good idea, coming from the fire department is probably our guiding light, in terms of what the fireworks regulations can and should be.

MR. NEFF: Counselor, did you just mention that right now, they're banned in Canfield?

ATTY. FORTUNATO: We don't allow fireworks. We don't strictly enforce that. We don't enforce it strictly because it's on a very limited basis. Fourth of July, third of July. The law allows 32 days.

MR. NEFF: I see in the paper that Poland, do you have any idea what our sister city, Poland.

ATTY. FORTUNATO: No, I don't pay attention much in the sister city.

MR. CALHOUN: It's our step sister.

ATTY. FORTUNATO: Some communities have continued the ban.

MR. MORVAY: I know Attorney Comstock had some ideas or thoughts. I'll get with him. He reported to the Fire District about it.

ATTY. FORTUNATO: If we can pass legislation in May or June.

MR. CALHOUN: So, two real quick things. We applied to the Ohio EPA Lead Service Line Mapping Grant. It's a program that the Ohio EPA, first come, first serve basis. It for up to \$50,000 to utilize funds to identify, map, lead service lines. Probably a year and a half to two years ago, we installed our GIS Mapping System. Unfortunately, the grant is for work to be completed. We're not able to say, hey we already did this. As part of automated meter installs, every time the guys go into the house, they are documenting the internal connections, if they are plastic, pyrex, copper, whatever the case may be, so that if there is steel or lead services lines that are identified, we can then feed that into our GIS Mapping System. What we've applied for is essentially the reimbursement of our personnel costs in installing the meters, simultaneously inspecting every home for lead service. I'm not sure when they decide on that. We submitted that yesterday. We found out Tuesday from our City Engineer and it's first come, first serve, so we figured we might as well get it in as quick as we can.

We finished up our I.T. Technician interviews this past week. Lieutenant Ruiz has begun the background investigation. I think I reported previously, we anticipate that being two weeks at max. Hopefully, we can get our selected candidate with a start date around May 1st or right around the beginning of May. Finally, some residents may have heard and council may be aware, Volunteer Energy; which is the provider for our gas aggregation program for the City of Canfield and for the city residents of the City of Canfield, filed Chapter 11 bankruptcy this past week. Our energy broker, Tom Bellish, when the press release came out, he informed me and was working on getting RFQ's or RFP's, I can't remember what they do, to get a new energy aggregate program installed in the City of Canfield. Last I checked with him was yesterday. He is hoping to have pricing back in May. Then we can secure that through the ordinance that we typically do. A start date, I think would be August. The last communication I had was that Volunteer was going to force everyone that is on an aggregate program into the retail market. That is going to happen, I believe in May. I didn't have that date. I would encourage every resident or anybody that is under the aggregation program is to utilize the Apples to Apples Comparison Website. That way, between the months of May, June, July & August which is typically when gas usage is low. You can play it month by month and secure a low rate until we get our new aggregation program installed, which is typically more stable than the market rate for gas. As we get more information, obviously, I'll funnel that to council and we'll take action. That's all I have.

MR. TIECHE: If we enter into another energy aggregation program, is there any way guarantees can be put in place, so that customers are not left out there hanging because now you're going

to the market on gas prices? Shouldn't there be some way of those energy companies placing an amount of escrow money to cover those costs during the changeover and that kind of thing?

MR. CALHOUN: I can definitely inquire about that with our energy broker and see if that is something we can include in the final contract that we sign.

MR. TIECHE: Thank you.

MR. NEFF: John, have there been any lead water services documented in Canfield yet?

PUBLIC WORKS SUPERINTENDENT: No. We have not found any that I know of. The steel going into have is kind of indicator that there is a possibility there could be some but until we could dig it up and verify it, I can't say that there is any lead.

MR. NEFF: Is there a lead neck that went onto steel.

MR. TIECHE: Yes.

PUBLIC WORKS SUPERINTENDENT: There is typically at the main, there is a lead gooseneck, they mold it around the steel going into the house.

MR. TIECHE: In some of the old outside meter installations that are in the pits, they came up and you had a lead harness in-between that then led into the copper pipe. The other question that I have is, when the guys are going in to install the meter, I'm presuming all they're looking at is the line coming into the house and what water lines they can see in the basement, they're not doing anything beyond that point as far as....

PUBLIC WORKS SUPERINTENDENT: Correct. We would have to excavate at the street to find out what the city side consists of. Right now, what we can see is what the supply line coming into the basement would be. We're half way there. Chances are, if we have copper, plastic, it's slim to have any lead in the system.

MR. TIECHE: I would be surprised if we, unless we have the outside meter pits, we have anything other than copper in that system because I know in 1963 or 64, the Neff Company was already installing. They did not install anything other than copper.

PUBLIC WORKS SUPERINTENDENT: That's a good thing.

MR. NEFF: Does a resident who wants to excavate to make sure that their downspout is going into the storm drain. Do they need any type of permit? The city doesn't dig up out at the storm.

ZONING INSPECTOR: They don't need a permit unless they're running a new line.

MR. NEFF: Just a new line.

MR. CALHOUN: They would have to call 811 before they excavate; which is the standard Call Before You Dig so that all the utilities companies would mark the lines.

MR. NEFF: Thanks

Under Questions on Reports:

MR. JOE LOCICERO: Joe Locicero, 60 White Oak Court. I wanted to ask John a question or two. How do you know what zone you're in? Should I already know that?

MR. CALHOUN: There is a map on the website. I think it's the same one as the leaf pick up. D

PUBLIC WORKS SUPERINTENDENT: You'll be in zone 4. The zone right now that we're in is where you're at. I can tell folks you go on the webpage.

MR. CALHOUN: On the website there is a map. It's under our public works or under Brush Pick-Up Services. There is the map and also a street listing for each zone. The map, unless you're magnifying it to see where the line is actually drawn but there are also streets.

MR. LOCICERO: These new meters, are they outside the house or inside the house.

PUBLIC WORKS SUPERINTENDENT: The new meters are inside the house with a wire that goes to the outside. That's where the touch pad and the AMI Unit are mounted, on the outside of the house.

MR. LOCICERO: I have two meters in the house. One if for irrigation.

PUBLIC WORKS SUPERINTENDENT: You would get 2 new meters; 2 wires and you'd get the AMI Units on the outside two (2) boxes probably 5 x 6. They're pretty small.

MR. LOCICERO: How much does that cost me?

PUBLIC WORKS SUPERINTENDENT: Currently it doesn't cost anything.

MR. CALHOUN: We utilized all the American Rescue Plan Act dollars.

MR. LOCICERO: It doesn't cost me anything.

MR. CALHOUN: Correct.

MR. LOCICERO: Thank you.

MR. MORVAY: Anybody else? Hearing none, we'll move on.

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

MR. MICCHIA: Good evening, Frank Micchia, 220 Glenview. Just a comment about this Joint Fire District flyer that is being passed out. About halfway down the first page, there is a question about how many mills is the levy. They claim that it is typically going to \$57.00. They put that on a home valuation of \$100,000. That \$100,000 is that the valuation or is that the tax number? I worked backwards and that's really the house valuation. I don't think there are many houses in Canfield that are going to have the \$100,000 valuation. My point is, the \$57.00 is a low-ball number. I think we could have been a little more realistic in putting down a correct number.

MR. MORVAY: If you have a \$200,000 house you multiply it by 2.
Right?

MR. MICCHIA: No. If you have a \$200,000 valuation your tax base is 35% of that which comes out to be around \$70,000 and then therefore your cost is about \$114.00.

MR. MORVAY: Bingo.

MR. MICCHIA: Mine is about \$100.00 a year. I think it's a stretch from \$57.00 to \$100.00 and I wish they would have been a little more realistic in giving us a number that is closer to the actual.

MR. MORVAY: Of course, that's the Fire District. That has nothing to do with the city.

MR. MICCHIA: This is my 3 minutes to make comments. I'm going to use it all up, too. I still object to the levy being permanent. I don't like any permanent levies and I'm not going to vote for a permanent levy regardless of the situation. I would be glad to vote for a 5-year levy. A permanent tax levy does not go into my vocabulary at all. Thank you.

MR. JOE LOCICIERO: Joe Locicero, 60 White Oak Court. I can help you a little bit with the calculation. The Mahoning County Auditor has a webpage. They have a matrix that show you all the levies in the whole county. They have our school and fire. In this Matrix, I think they have it by \$50,000 or \$100,000 increments but if you want to be accurate, they have a formula underneath. What you do is fill in your numbers within that formula. The only confusing part is that the Meachum's group calls it Market Value but if you look at your tax statement it's appraisal value. Those numbers are the same. It's a very simple equation.

I wanted to say an accolade. I know you're always looking forward to these. I read the Newsletter and wanted to know who airbrushes the photos of you guys. It was very informative.

I wanted to talk, just a minute about the change to the Charter, getting us back to the original charter; which provided for an election every two years, for two members of Council for 4-year terms. The last time I brought it up, I know Chuck and Bruce both thought that we could do that easily. We don't have to go out and ask folks if we could do it. We missed the opportunity for May.

ATTY. FORTUNATO: We have to go to the ballot. We don't have to get petitions.

MR. LOCICERO: Yes. Do we need signatures?

ATTY. FORTUNATO: No.

MR. LOCICERO: That's what I thought, so we can streamline it. I suggest you get a plan because we already missed May. I really think this is a positive thing to do, to allow, I mentioned before if a resident wants to put their name in a hat to serve, they don't have to wait 4 years. The thing is, we won't lose all 4-council people at the same time. We'll always have a couple knowledgeable folks. I would ask if you'd put a plan together so that when I'm here in October we don't miss it again. I know a lot of days before.

ATTY. FORTUNATO: August is the deadline.

COLLECTIVELY: No one is up in November.

ATTY. FORTUNATO: We can still put it on.

BRUCE NEFF: Didn't at the last council meeting....

ATTY. FORTUNATO: We said we were going to do it.

BRUCE NEFF: You're working on it.

MR. LOCICERO: Okay. Thanks. I also wanted to thank Wade for the quick response on the 14 questions I had or 12. I just wanted to follow-up on a few. I did take a suggestion and I took 5 of those questions and I sent them to the President of the Board of Education. I'm waiting for his response. One question I had, the last time we talked about this we were told, Mark you explained that there are things that we don't know that would make this deal that we have with the Board more attractive to the city. That's the interpretation I got. Is that a fair interpretation of what you said?

ATTY. FORTUNATO: It may have been, maybe.

MR. LOCICERO: It was in response to (I don't know his name). Anyway, I thought that was what I heard. I was going to ask this question about that because I know there are things you can't reveal. Are the plans that you have for Red Gate other than the 100 acres for the Board,

are they tied together? Are they intertwined, so that if they don't have that 100 acres and build a school, these other things you're looking at.....

ATTY. FORTUNATO: No.

MR. LOCICERO: So, they're independent?

ATTY. FORTUNATO: Correct.

MR. LOCICERO: The first question was: What is the current market value of Red Gate acreage? There was an appraisal done in October of 2021, that said those 300 acres are worth \$1,700,035.00. That means that it's about worth \$5,783.00 per acre. I wanted to ask, how is the appraiser selected? Is that a bid process or is that just someone we choose?

MR. CALHOUN: It was not a bid process. It was done through our city engineers.

MR. LOCICERO: Our City Engineer?

MR. CALHOUN: Yes.

MR. LOCICERO: Who is?

MR. CALHOUN: MS Consultants. The sub consult the appraiser. I don't believe the appraiser is from MS Consultants. The appraiser is Charles P. (inaudible).

MR. LOCICERO: Can I get a copy of the appraisals? Both the 300 acres of Red Gate and also the Middle School.

MR. CALHOUN: Yes.

MR. LOCICERO: Thank you. Question 3: What is the total investment that the city has in Red Gate? What I took off of the spreadsheet was that the purchase cost in 2003 was \$2,360,000.00, that's about \$7,800 per acre. The original cost plus the interest, minus revenues, we have \$2,335,409.00 invested; which is about \$7,785 per acre. I just want to confirm that I have the right answer here.

MR. MORVAY: You're coming up on 5 minutes, if you could wrap up. Thank you. Maybe get together with Wade and get some of those questions answered.

MR. JEFF WAGNER: Jeff Wagner, 242 Jade Circle. Mine's a little off the wall. I've been a resident for 27 years here in Canfield. A taxpayer. I've been coming to these meetings for 4 months or so. The Red Gate thing brought me here. I was actually there when they auctioned that. I was interested in it. I think I've discovered something along the past 4 months or so. I kind of came in here thinking I had ownership. At the city level or the local level, taxpayers kind

of own what happens in the city. We pay our tax dollars and something is purchased with our tax dollars, I was under the mistaken assumption that we kind of owned it. I own this building, I own all this stuff. It occurred to me that that's really not the case. When I pay my tax obligation and it comes in, it doesn't go into a bucket called taxpayer funds, it goes into the City of Canfield revenue bucket, I'm assuming. When it makes that change, I have no ownership of what happens to that money. For instance, with the Red Gate Property, 15 years ago when it was decided to be purchased, the citizens weren't asked, they purchased it. The bottom line with this is, as a citizen, it dawned on me, I don't have the ownership to come in and looking at these contracts that you guys negotiate back and forth and I was picking out things and saying, if I was doing that contract, I wouldn't do that. I wouldn't have that language in there. In the Diperna Contract there is some language that is kind of troubling to me. You ask the company for advice, they give you advice and you take it, you can't sue them because they have in the contract that you should be smart enough not to have taken their advice. I'm not a lawyer but that's the way I read it. It's not really my money anymore that is being negotiated and spent. The city is really you guys. Different from the citizens. So, kind of circling back to the Red Gate issue, the ownership of Red Gate isn't the citizens of Canfield, it's the City of Canfield. That's you guys. You have absolute right to move 100 acres to the school and develop the 200 acres. As a citizen, I really have no input to direct you one way or the other. A closing remark that I will make is, if you have two separate entities, one the city and one the citizens and you guys are the city, you have a tough obligation to play both sides. Expansion may be very good for the city, it may be very good for you guys, you get more money in the coffers, more ability to do good things, buy things, get more services, it may not be the best thing for the citizens. The citizens to have growth pushed upon them quickly may or may not be a good thing. I've kind of come to the collusion as a citizen that it's not my role to dig into the details of what you're doing and have some faith in you guys that you will, not just look out for the city, but to look out for the citizens. Thank you.

MR. MORVAY: Anybody else? Hearing none, we'll move on.

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

Under **NEW BUSINESS**:

ITEM A: An Ordinance Requesting Participation in Purchase Contracts of the State for Sodium Chloride (Road Salt) and Declaring an Emergency.

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. TIECHE: 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 reading by title only.

MR. DRAGISH: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. TIECHE: Mr. President, I have an Ordinance Requesting Participation in Purchase Contracts of the State for Sodium Chloride (Road Salt) and Declaring an Emergency. I move for passage.

MR. NACARTO: Second.

MR. CALHOUN: This ordinance looks familiar because we passed it in April of last year. Every year as part of our participation in ODOT's Ohio Department of Transportation winter salt contract, 2022-2023 we're required to pass legislation saying that we're going to participate. Tomorrow morning when Patty fills out the application we have to say how much salt we are going to purchase. What they do is take that from all the entities that participate cooperatively and bid it statewide and we essentially get dictated who our contracted vendor is going to be and what our price is. We're committing to a certain number before we know what the price is. We're confident with our budgeting and what we anticipate using on an annual basis. Part of the contract, we have to buy 90% of what you agree to purchase. Given that this year's price is \$45.29 per ton, we're estimating our best guess, 30% increase. That seems to be the standard that everyone is doing with anything that's happening in the world right now is 30% on top of whatever the current rate is. We're hedging our bets on if it's \$58.87 per ton, we want to purchase 1500 tons. The 1500 tons at \$72.00 per ton would be the worse case scenario, we're still able to purchase 90%; which is 1350 tons within the \$100,000 budget amount that we have for fiscal year 2022. With all that being said, this Ordinance simply commits us to participate in the program. We're committing to buy 1500 tons but only obligated to buy as much as 1350. We got a 2,000-ton capacity salt dome. If we're able to fill it this year, because of the way the program works we have to participate every year, so my dream of not having to buy salt every other year, it kind of went out the window. But in the event that this year is a high, high price, we can then buy only what we need. We bought 1,000 tons last year, this year and we used and we used about 500-600. We got 400 tons sitting there and we want to get as close to 2,000 as we can. Again, if we're in that \$72.00 range, we're not going to buy bulk. If it stays stable \$45.29 we're going to fill it. We're going to buy all 1500. Next year, if the price does increase maybe then we only buy 2,3, or 4 hundred. We're trying to hedge our bets and buy high and low. It's a difficult process. If anybody knows a salt actuary, I would like to talk to them. It needs passed as an emergency due to the application deadline that needs to be done by April 30th. We do have one other meeting but we'd like to get this input as early as tomorrow.

MR. MORVAY: I understand they mine salt underneath Lake Erie.

MR. TIECHE: Yes.

MR. CALHOUN: Our current supplier is Cargill. I think Cargill is somewhat more local than another supplier, Mortin. Last year, we went through Mortin and our price was like \$57.00 per ton. Switching to Cargill we went down to \$45.29. They bid it by county. Then the county or the district gets a set price. Everybody in Mahoning County ends up getting the same price. It's kind of a unique situation. We did research on a producer price index (PPI). I never delved into that or do I want to. I couldn't make heads or tails out of it.

MR. MORVAY: Council questions? Hearing none. Residents? Hearing none. Patty.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes
	Ordinance 2022-22.

ITEM B: An Ordinance Authorizing Change Order Number 1 (Final) Utility Contracting Inc.

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 reading by title only.

MR. NEFF: Second.

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

MR. NEFF: Mr. President, I have an Ordinance authorizing change order number 1 (final) Utility Contracting, Inc. I move for passage.

MR. TIECHE: Second.

MR. MORVAY: Mr. Calhoun, could you explain to use Item B.

MR. CALHOUN: Utility Contracting, Inc. was awarded the Millennial Moments Sanitary Sewer Extension Project back in August of 2020. Total contract amount \$244,732.00. They completed the work late fall of 2020. There was some restoration work that needed to be done. Because of the winter months, we delayed that until spring/summer of 2021. They performed that work. Which is just the restoration, seeding, mulch, of the area that was disturbed. As they started to close out their projects, we received their final invoice in January of this year, 2022. Change order number 1 is what this Ordinance is for which is the final change order for Utility Contracting which results in a reduction of the contract of \$2,900.00. The original bid had more seed restoration work, I think there was some traffic protection that we did not end up using.

FINANCE DIRECTOR: Silt fencing and temporary seeding and mulching

MR. CALHOUN: This change order reduced the original contract amount by \$2,900 for a total contract amount of \$241,832.00. This will close out the project. Close out the payouts, so we can pay Utility Contracting their final invoices.

MR. MORVAY: Council questions?

MR. NEFF: Just an observation. The fire hydrants out there, it seems to me, they're unexpectedly close to the road. I thought there was going to be a turning lane. Chuck you're a better expert on that.

MR. TIECHE: I don't know anything about a turning lane. Where they are at, does subject them to be hit by vehicles.

MR. NEFF: They're pretty close to the road.

MR. TIECHE: I think that was all approved when they were installing the water lines.

MR. NEFF: Just an observation, thanks.

MR. MORVAY: Residents? Mr. Micchia.

MR. MICCHIA: Frank Micchia, 220 Glenview. This \$240,000 was for the 18" sewer line, correct?

MR. CALHOUN: Correct.

MR. MICCHIA: Part of that was an upgrade of the size for the potential of going to Red Gate.

MR. CALHOUN: No.

MR. MICCHIA: There was no upsizing on that sewer line?

MR. CALHOUN: Not with this project. This was the project that extended our sanitary sewer lines from Hunter's Woods to the corner of South Palmyra and 224.

MR. MORVAY: You might be thinking of a water line.

MR. CALHOUN: The Red Gate Phase 1 sanitary sewer upsized our 12" line from the bike trail to Hunter's Woods from a 12" to an 18".

MR. MICCHIA: So, there was no upgrading in this expansion?

MR. CALHOUN: No. It was completely new, install 18" sanitary sewer line.

MR. MICCHIA: Thank you.

MR. MORVAY: Any other questions from residents? Hearing none, Patty.

ROLL CALL ON ORDINANCE:

5 Votes-Yes
0 Votes-No
Ordinance passes.
Ordinance 2022-23.

ITEM C: A Motion to authorize the City Manager to enter into an agreement with Tyler Technologies, Inc. for software as a service (SaaS)

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 Motion and authorize reading by title only.

MR. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.

MR. DRAGISH: Mr. President, I have a Motion to authorize the City Manager to enter into an agreement with Tyler Technologies, Inc. for software as a service (SaaS). I move for passage.

MR. NACARATO: Second.

MR. MORVAY: Mr. Calhoun could you explain this motion to us, please?

MR. CALHOUN: Over the past 3 years, we've been exploring new software solution for our financial management or the software that essentially runs any financial aspect for the city; accounting, budget, cash collection for utility billing, accounts payable, payroll, timesheet entry, everything except Mayor's Court and Income Tax. That's done through a different software company. We've been looking to upgrade for something that better suits our needs. Have a little more support, availability and capability and just something that is a little more fluid and efficient. So, over the past 3 years, it started prior to COVID, we flirted with the idea of bringing vendors. We did talk to vendors and looked at encode with an onsite demo through Tyler Technologies, prior to COVID. COVID hit and we kind of scaled back a lot of our items that we looked to do, that were big ticket items. This year, we felt comfortable proposing in

the fiscal year 2022 budget that was recently approved by Council in March. This Motion will authorize entering into an agreement with Tyler Technologies for Software as a Service; which is the financial management suite as well as the annual maintenance and support, integration, training, migration of all of our current data into the new system.

MR. MORVAY: Council questions?

MR. TIECHE: I had sent Wade a memo that had some questions.

1. Did anybody read the full 100-page contract?

You said that Mark did. Can you comment on that and also the cost because I asked a question about both?

ATTY. FORTUNATO: We have some outstanding questions related to some of the language in the agreement. Their Counsel is going to make some modifications to the agreement based on our comments so that the Motion you make tonight should be subject to legal counsel approval. The language is kind of going back and forth right now.

MR. TIECHE: You're satisfied, it doesn't everything we need to do.

ATTY. FORTUNATO: From a Technology standpoint. That's up to Dom. From a contract standpoint, I'm pretty satisfied with the contract.

MR. TIECHE: Very good. Fees?

MR. CALHOUN: The purchase of the actual software is \$39,165.00. The total potential professional services that we would receive in the implementation, integration, and training, the total project is \$91,640.00. As you recall during budget, the total \$130,805.00, plus the additional software gets us into \$150,000-\$160,000 range. We budgeted this year for about half of that. You only pay for the software and the professional services when you purchase them, get the license, then the onsite implementation, training and migration. In total, the project would consist of Core Financial Suite Software that we're purchasing is \$130,805.00. That's with the \$39,000 software, plus the professional services. The annual recurring fees for the annual support and maintenance are \$19,362.00; which is about \$6,000 more than what we currently pay for annual support.

FINANCE DIRECTOR: Comparable.

MR. CALHOUN: So, what it doesn't include is some of the additional optional software; which is the Execu-time, My Civic (which is actually an app that you put on your phone that basically allows residents to take a picture of a pothole and submit that through an app that funnels through our system, creates the work order, alerts the crews). The other is permitting, code enforcement modules that would assist Mike Cook in the performance of his zoning inspection, duties. Right now, it's a very manual process. If someone comes in and needs a permit, it's hand written in a receipt book and it's only captured within our financial software from a spreadsheet when we do the bank deposit. That's really the only traceability or tracking of it. It would be fully integrated much like our utility bills. The same thing with the utility bills, I talked about at the Budget Work Session. For one account, you need to go into 2 screens, so there is the account which is by address and the owner of the account to sort of get pieces of each to get the whole picture of the customers account; where with the encode financial suite,

everything is all in one. You basically pull up the account it's all there. From a financial standpoint, accounts payable, invoicing, payroll, timesheets, purchase orders, from my understanding they're all integrated. So, if we pull up an invoice that we paid, that links back to the original purchase order, so you can basically track back, drill down through the details at the endpoint vs. what we do now is go in find that invoice, see the amount, know that it was paid from a vendor, go back look for the PO from the vendor, it's not all seamlessly integrated. I wholeheartedly believe this will make us much more effective and efficient in delivery of our internal services using it from a financial aspect.

MR. TIECHE: What is the security on the overall system to ensure that somebody walking by can't hack it?

MR. CALHOUN: This was a conversation we had as we were going through it. They offer 2 sort of premises, there is the Cloud based host solution where everything is on their protected servers and their Cloud and it's \$20,00-\$30,000 cheaper than what we've been quoted for this. What we're going with is the onsite, hosted on our servers, protected by all of the redundancy and levels of protection that Dom Rozzo has built within our servers for our police department and our finance. We were a little more comfortable bringing it onsite. So, all of the same security protections that we have currently with all of our data will be in place for this.

MR. NEFF: What system are we using now? We have a system?

FINANCE DIRECTOR: It's called AccuFund.

MR. NEFF: How long have we been using it?

FINANCE DIRECTOR: We've had it since the beginning of 2006.

MR. NEFF: What does that cost us roughly a year?

MR. CALHOUN: \$13,000-\$14,000 for the annual maintenance support

FINANCE DIRECTOR: About the same as this is going to be. They unfortunately have not progressed.

MR. NEFF: Wade, you said you did look at several systems?

MR. CALHOUN: Three. Encode our current software provider, they have modules that are adding in, timesheets and that sort of thing. We tried to get those implemented over the last 1 ½-2 years and then the Baldwin Group who does our Municipal Income Tax Software but they don't offer a financial suite package. We basically looked at the 3. One thing to mention, we are a member of Sourcewell, Tyler Technology is a Sourcewell Contract. Sourcewell is a cooperative bidding and purchasing program that we utilized last year when we did the salt dome. As part of the competitive bidding, that is already done at the cooperative purchasing level. That is one of the changes that is actually being put into the contract, identifying that we are a Sourcewell Member and we will utilize the Sourcewell Contract that Tyler has on file.

MR. NEFF: Is there any Ohio based company that makes any system like this?

MR. CALHOUN: Potentially. In my experience, I've used Tyler Technologies Encode Products since I started working in smaller Municipalities, Tyler Technologies started in basically municipal government financial software.

MR. NEFF: Do you feel that this financial software package is a little too robust for what we need right now?

MR. CALHOUN: No, I think it's what we needed 10 years ago. When I started in encoding in 2011 it was kind of the Cadillac of Municipal Software. It started to grow like an AT&T. My Civic was not originally an Encode Tyler Technologies Product. That was something that somebody created, they basically bought it up and integrated it with theirs. In 2015, I believe, they got the City of Dallas for their financial software system. It's a Texas based company but they provide municipal software services all over the country. One of the unique features, when I started doing utility billing, finance is nobody knows how to do everything in the software, so I probably spent the first month calling customer service every single day, trying to figure out how to do something, get a live person, if you don't get somebody on the phone, they call you back. They can access your system and walk you through what they call Tyler U; which is basically an educational system to learn anything and everything you need to know about the software. The support is second to none. When we did the demo, on site, we had everybody here from Utility Billing, our finance department so that they can look at what potentially could be offered in compared to what we currently do. I think everybody was really excited 3 years ago when we had that demo. Now, we're actually able to pull the trigger on it. I think it's exactly what we need. There is the optional stuff that is we would eventually like to get to. When I first started that was one of the big things, communication, how do we mass communicate to residents. How do residents communicate to us in other forms, other than come to council meetings twice a month or call? In today's day and age, the My Civic app is

MR. NEFF: But that's not what we're getting now?

MR. CALHOUN: That's an optional. It's an add-on.

FINANCE DIRECTOR: What I wanted right now is what we have right now. We're going to start there.

MR. NEFF: You got a good trainer that will be able to train you.

FINANCE DIRECTOR: Right.

MR. NEFF: I was originally going to say that I was not going to vote for this but you convinced me. It's a lot of money. I said last meeting, I think Council spends too much money. This seems like a really good program. I was trying to look into it and I saw something that they have based in Boston but maybe that was Sourcewell.

MR. CALHOUN: They quite possibly could have a location in Boston.

MR. NEFF: Thank you

MR. TIECHE: One last question. How does this all fit with the State Auditor's Office? Do we have any problems with the State Auditor's Office?

FINANCE DIRECTOR: I highly doubt it.

MR. TIECHE: That's not quite what I want to hear.

FINANCE DIRECTOR: Wade has used it before.

MR. TIECHE: But that's in Texas.

MR. CALHOUN: If it's good enough for Texas.

MR. TIECHE: Okay.

MR. MORVAY: Council anything? Hearing none. Residents? Hearing none.

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.
Motion 2022-7.

MR. MORVAY: Before we move into Executive Session one thing I was going to remind Council about was the Canfield Summer Concert Series on the Green, if you haven't signed up yet.

MR. NEFF: I'd like to make a comment. I think we need to have younger oriented music. It's fine to have some music for us older people. We have a wonderful music department at the high school. All kinds of accolades go to individual and our band and so forth. I just hope that next year we can look at that and make it even more robust with local talent.

MR. MORVAY: At this time, I'll need a Motion that we go into Executive Session.

MR. NACARATO: Mr. President, I have a Motion to adjourn into Executive Session pursuant to ORC 121.22 (G) (2) to consider the sale of unneeded property and ORC 121.22 (G) (3) to discuss pending and eminent legal action with the Law Director. I move for passage.

MR. DRAGISH: Second.

ROLL CALL ON MOTION:

5 Votes-Yes
0 Votes-No
Motion passes.

MR. MORVAY: When we come back out we probably won't be taking any action. If you want to stick around you're more than welcome. Council adjourned into Executive Session at 6:37PM.

Council reconvened from Executive Session at 7:25 PM.

Mr. Nacarato made a Motion to adjourn.

Mr. Dragish seconded the Motion.

The meeting was adjourned at 7:26pm.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL