

CANFIELD CITY COUNCIL

January 4, 2023-5:30 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.

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** of the City of Canfield Ohio Adding New Chapter 743 Safe Drug Disposal of the Canfield Ohio Municipal Code Requiring the Safe Disposal of Drugs.

Description:

At the last council meeting we had a presentation from members of the Canfield Rotary Club regarding the Project SMART. The group is focusing on the "M" in SMART which stands for Medicine. Each household in the city would get mailed a bottle in which they can dispose of their unwanted medications. The bottle neutralizes the medication. The resident would then mail that bottle back and receive a new bottle. The program is of no cost to the City or Rotary. This program helps to keep medications out of the hands of people more likely to misuse medications. This program does not replace the drug takeback program.

Action Needed: Passage of Ordinance.

Attachment(s): An Ordinance of the City of Canfield Ohio Adding New Chapter 743 Safe Drug Disposal of the Canfield, Ohio Municipal Code Requiring the Safe Disposal of Drugs.

Public Comments

OVER→

B. A **Motion** Appointing _____ to the Position of President of Council.

Description:

Per section 3.04 (“Organization of Council”) of the Canfield City Charter;
“...following each regular municipal election, the members of Council shall meet at the Council chambers for the purpose of organization. At such meeting, the Council shall elect one (1) of its members thereof as President of the Council to serve until a successor shall have been elected.”

This motion appoints the President of Council in accordance with the City of Canfield Charter.

Action Needed:

Appoint a member of Council (excluding the Mayor) to the position of President of Council

Attachment(s):

Motion to appoint President of Council

Public Comments.

C: A **Motion** Appointing an Acting Manager.

Description:

Section 5.05 of the Charter of the City of Canfield requires that Council designate an individual to serve as Acting Manager during the absence or disability of the Manager. This designation is made by the City Manager during temporary absence for the City or during disability.

For calendar year 2023 the following progression of employees that shall serve as acting manager during the absence or disability of the manager are as follows:

- 1) Police Chief
- 2) Finance Director

Action Needed:

Approval of motion appointing acting manager

Public Comments

12. Council Comments

13. Adjournment

Introduced by: _____
First Reading: _____

**AN ORDINANCE OF THE CITY OF CANFIELD OHIO
ADDING NEW CHAPTER 743 SAFE DRUG DISPOSAL OF THE CANFIELD
OHIO MUNICIPAL CODE REQUIRING THE SAFE DISPOSAL OF DRUGS**

The Council of the City of Canfield Ohio hereby finds and declares the following:

WHEREAS drugs are necessary medical technologies that allow us to live longer, healthier, and more productive lives and reduce suffering at the end of life;

WHEREAS, the public, particularly children, the elderly, and public employees, are at significant and unnecessary risk of poisoning due to the improper or careless disposal of drugs;

WHEREAS our groundwater and drinking water are being contaminated by unwanted, leftover, or expired drugs passing through our wastewater treatment centers:

WHEREAS there is no mandatory statewide stewardship program for unwanted drugs and manufacturers, retailers, and producers have not offered any support for the program to date.

WHEREAS the City of Canfield Ohio collected analgesics; anti-inflammatories; blood thinners, and several thousand doses of other pharmaceuticals for reasonable disposal and diversion from wastewater and surface waters in one year, and continues to collect comparable quantities to protect recreational water quality and aquatic life within the City limits;

WHEREAS, the City has implemented a program to responsibly and safely collect unwanted pharmaceuticals within the City limits, with the assistance of the City Police Department and a few private pharmacies. However, there continues to be a lack of sufficient safe, convenient disposal locations for leftover, expired, and/or unwanted drugs, which creates significant risks to human health and to the environment. As a result, leftover, expired, and/or unwanted drugs are often left in homes where they can be accidentally ingested or abused by children, adults, and the elderly, increasing the risk of poisoning, addiction, and death;

WHEREAS, each year, more than 9,000 young children are hospitalized after accidentally ingesting prescription drugs, and drug overdose deaths have been rising steadily over the past two decades. Nearly 9 out of 10 poisoning deaths are caused by drugs. In 2011, 80 percent of the 41,340 drug overdose deaths in the United States were unintentional;

WHEREAS, unwanted drugs are also often flushed down toilets or sinks. However, municipal wastewater treatment plants are not designed to remove the complex compounds in the drugs that end up in the sewer system. As a result, drugs can pass through wastewater treatment systems and contaminate receiving waters;

WHEREAS, an Environmental Protection Agency report on drinking water released in December 2013 tested effluent samples from 50 large wastewater treatment plants nationwide for active pharmaceutical ingredients and metabolites. Out of the 63 total compounds tested for (including, without limitation, pain relief medicines like oxycodone, high blood pressure medications and over-the-counter drugs like acetaminophen and ibuprofen), 43 were detected in at least one of the samples and all samples were found to contain at least one pharmaceutical compound. The presence of pharmaceuticals in surface water is well documented to have ecological impacts, including negative effects on fish and other aquatic life. Our cities water has concentrations of some of these pharmaceutical ingredients;

WHEREAS establishing a safe, convenient disposal system for leftover, expired, and unwanted drugs will reduce unintentional poisonings and drug overdose deaths by making drugs less accessible to persons who might accidentally ingest or abuse them:

WHEREAS establishing a safe convenient disposal system for leftover, expired, and unwanted drugs will also reduce the number of people who misuse and become addicted to prescription drugs:

WHEREAS establishing a safe convenient disposal system for leftover, expired, and unwanted drugs will also reduce the quantity of pharmaceutical compounds that are discharged into the Lakes and rivers and other environmentally sensitive waters throughout the City:

WHEREAS, Extended Producer Responsibility (EPR) laws, sometimes referred to as Product Stewardship laws, place responsibility for end-of-life management of consumer products on the manufacturers and producers of the products, while encouraging product

design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle;

WHEREAS, many local and national governmental bodies support EPR, including National Association of Counties, and the National League of Cities;

WHEREAS, in 2010, Congress passed the "Secure and Responsible Drug Disposal Act of 2010," Public Law No. 111-273, which authorized the Attorney General to expand the methods through which pharmaceuticals classified as controlled substances may be collected, including through collection at pharmacies. The goal of the bill was to increase opportunities for drug collection in order to reduce substance abuse, accidental poisoning, and the release of harmful substances into the environment. On October 9, 2014, the Drug Enforcement Agency promulgated regulations implementing that Act. These regulations, among other things, authorize retail pharmacies to maintain secure collection bins for controlled substances;

WHEREAS, Mexico, a number of Canadian provinces, much of Europe and several other countries already have active, well-established EPR drug disposal programs in place. British Columbia has had a manufacturer-funded drug collection program in place since 1996. Ontario began a program in July 2010 and Manitoba began its program in April 2011. France, Spain, and Portugal, among other countries, have national collection programs, which are paid for by drug companies and operated by product stewardship associations on their behalf. Many of the same drug companies that participate in these programs manufacture drugs sold in the United States;

WHEREAS, in 2012, Alameda County California became the first local government in the United States to pass legislation requiring pharmaceutical companies to design, fund, and operate a program to safely collect and dispose of unwanted drugs, similar to the take-back safe drug disposal programs in Canada's pharmacies. On September 30, 2014, the Ninth Circuit Court of Appeal rejected a legal challenge to Alameda County's ordinance brought by pharmaceutical trade associations. *Pharm. Research & Mfrs. of Am. v. City/County of Alameda*, 13-16833, 768 F.3d1037 (9th Cir. 2014). The U.S. Supreme Court subsequently declined to hear an appeal of this ruling;

WHEREAS, there is demand in the City of Canfield Ohio for a permanent drug stewardship program;

WHEREAS, a manufacturer and/or producer-funded safe drug disposal program in the City for unwanted drugs would significantly increase convenient safe drug disposal

options for City residents' of unwanted drugs, enabling safe disposal of larger quantities of unwanted drugs and reducing risks to public safety, health, and the environment;

BE IT ORDAINED by the City Council of the City of Canfield Ohio as follows:

SECTION I

The City of Canfield Ohio Municipal Code is hereby amended by adding Chapter 743 to read as follows:

Chapter 743

743.01 Purpose and Intent

743.02 Title

743.03 Definitions

743.04 Stewardship Program

743.05 Stewardship Plan

743.06 Safe Disposal of Unwanted Products

743.07 Stewardship Program Promotion and Outreach

743.08 Retailer and Provider Participation - ?

743.09 lists of Producers and Manufacturers of Covered Drugs

743.10 Reporting

743.11 Program Assessment and Collection of Data

743.12 List of Producers

743.13 Regulations and Fees

743.14 Enforcement

743.15 Additional Provisions

743.01 PURPOSE AND INTENT.

The purpose of this chapter is to protect the health, safety, and welfare of the public and of the environment by providing for the safe and orderly disposal of drug waste; and by placing responsibility for end-of-life management of drug products on the manufacturers and/or producers of the products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle.

743.02 TITLE.

This chapter may be cited as the "City of Canfield Ohio Safe Drug Disposal Ordinance."

743.03 DEFINITIONS.

For the purposes of this chapter, the following terms have the meanings given below.

- a. **“City Council”** refers to the City Council of the City of Canfield Ohio.
- b. **“City”** means the City of Canfield Ohio.
- c. **"Consumer Generators"** means residents of single and multiple family residences or other locations who possess, dispose of, and/or abandon household Drugs. **"Consumer Generators"** does not include airport security, drug seizures by law enforcement, pharmacy waste, business waste, or any other source identified by the Department as a non-consumer source.
- d. **"Controlled Substance"** for purposes of this chapter shall mean any substance listed under Title 21 of the United States Code, Sections 812 and 813 or any successor legislation.
- e. **"Cosmetics"** means (a) articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance, and (b) articles intended for use as a component of any such articles.
- f. **"Covered Drug"** means all Drugs, including both brand name Drugs and Generic Drugs, and Prescription Drugs and Nonprescription Drugs. Notwithstanding the foregoing sentence, **"Covered Drug"** does not include: (b) herbal-based remedies and homeopathic drugs, products, or remedies; (c) Cosmetics, soap (with or without germicidal agents), laundry detergent, bleach, household cleaning products, shampoos, sunscreens, toothpaste, lip balm, antiperspirants, or other personal care products that are regulated as both Cosmetics and Nonprescription Drugs under the Federal Food, Drug, and Cosmetic Act ("FFDCA") (21 U.S.C. Section 301 *et seq.* (2002)); (d) Drugs for which Producers provide a take-back program as part of a Federal Food and Drug Administration managed risk evaluation and mitigation strategy (21 U.S.C. Section 355-1); (e) Drugs that are biological products as defined by 21 C.F.R. 600.3(h) as it exists on the effective date of this chapter if the Producer already provides a take-back program; and (f) pet pesticide products contained in pet collars, powders, shampoos, topical applications, or other delivery systems.
- g. **“County”** means the County of Mahoning.

- h. "Department" means the City of Canfield Ohio Wastewater Treatment /Police**
- i. "Director" means the City of Director of Wastewater Treatment/Police or his or her designee.**
- j. "Drug Wholesaler" means a Person that sells or distributes Drugs and Covered Drugs for resale to an Entity other than a consumer.**
- k. "Drugs" means: (a) articles recognized in the official United States Pharmacopoeia, the official National Formulary, the official Homeopathic Pharmacopoeia of the United States, or any supplement to any of them; (b) articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals; (c) articles, other than food, intended to affect the structure or any function of the body of humans or other animals; and (d) articles intended for use as a component of any article specified in clause (a), (b), or (c) of this definition. Notwithstanding the foregoing sentence, "Drugs" does not include or mean medical devices, their component parts or accessories.**
- l. "Entity" means a Person other than an individual.**
- m. "Generic Drug" means a Drug that is chemically identical or bioequivalent to a brand name Drug in dosage form, safety, strength, route of administration, quality, performance characteristics, and intended use, though inactive ingredients may vary.**
- n. "Hazardous Waste" means a "hazardous waste" as defined in the Federal Resource Conservation and Recovery Act (RCRA) of 1976, as amended (42 USCA § 6901 *et seq.*) and the implementing regulations (40 C.F.R. §§239 through 282), as amended. This waste includes, but is not limited to, bulk chemotherapy drugs, P-listed waste, U-listed waste and characteristic hazardous waste.**
- o. "Manufacture" means the production, preparation, propagation, compounding, or processing of Drugs but does not include the activities of a Re-packager, Wholesaler or medical practitioner who distributes or dispenses such substances in the ordinary course of his or her professional practice or prepares, compounds, packages or labels such substances.**
- p. "Manufacturer" means a Person engaged in the Manufacture of Drugs.**

- q. **“Mail-back Program”** means a system whereby Consumer Generators of Unwanted Products obtain prepaid and pre-addressed mailing envelopes in which there is a bottle to place Unwanted Products in a solution that safely neutralizes for shipment to an Entity that will dispose of them safely and legally.
- r. **“Medical Waste”** means **“Medical waste”** as defined in Ohio Administrative Reg. § .
- s. **“Nonprescription Drug”** means any Drug that may be lawfully sold without a prescription.
- t. **“Person”** means an individual, firm, sole proprietorship, corporation, limited liability company, general partnership, limited partnership, limited liability partnership, association, cooperative, or other entity of any kind or nature, however, organized.
- u. **“Pharmacy”** means a place licensed by the State of Ohio where the practice of pharmacy is conducted.
- v. **“Plan”** or **“Stewardship Plan”** means a stewardship plan required under this chapter that describes the manner in which a Stewardship Program will be provided pursuant to the terms of this ordinance.
- w. **Plan Operator”** means the Person that develops, implements and operates a Stewardship Plan, including but not limited to a Producer or Stewardship Organization.
- x. **“Prescription Drug”** means any Drug, including, but not limited to, any Controlled Substance, that is required by federal or state law, rule or regulation to be dispensed by prescription only or is restricted to use by practitioners only.
- y. **“Producer”** shall be determined, with regard to Covered Drugs that are sold, offered for sale, or distributed in the City as meaning one of the following:
 - i. The Person who Manufactures Covered Drugs and who sells, offers for sale or distributes Covered Drugs in the City under that Person's own name or brand.

ii. If there is no Person who sells, offers for sale, or distributes Covered Drugs in the City under the Person's own name or brand, the Producer of Covered Drugs is the owner or licensee of a trademark or brand under which the Covered Drugs are sold or distributed in the City, whether or not the trademark is registered.

iii. If there is no Person who is a Producer of Covered Drugs for purposes of paragraphs (a) and (b), the Producer of Covered Drugs is the Person who brings the Covered Drug into the City for sale or distribution.

Notwithstanding the foregoing, "Producer" does not include: (i) a Retailer or Re-packager that only puts its label on a Covered Drug; (ii) a pharmacist who dispenses Prescription Drugs to, or repackages or compounds a prescribed individual Drug product for a consumer; or (iii) a Drug Wholesaler who is not also a Manufacturer.

z. "Provider" means any Person that sells or otherwise furnishes Drugs to consumers at a location as defined (Healthcare Facility) by the EPA located in the City.

aa. "Public Hearing" means any hearing held by the Department or the City which is open to the public for the purposes of collecting public comment. It does not necessarily refer to meetings of the City Council.

bb. "Re-packager" means a Person who owns or operates an establishment that repacks, repackages, and/or re-labels a product or package (including a Covered Drug) for further sale or for distribution without a further transaction.

cc. "Retailer" means any Person that sells Drugs directly to consumers at a business located in the City.

dd. "Stewardship Organization" means a "person" designated by the "City" to act as an agent on behalf of each "Producers" to operate a Stewardship Program or organization that the City contracts with to operate a Stewardship Program.

ee. "Unwanted Products" means Covered Drug's no longer wanted by the owner or that have been abandoned, discarded, or are intended to be discarded by the owner.

743.04 STEWARDSHIP PROGRAM.

a. The requirement for Sale. This chapter shall apply only to Producers whose Covered drugs are sold and/or distributed in the City and to Retailers who sell Covered Drugs in the City. This chapter shall apply only to areas within the City limits. This chapter shall be administered and implemented by the City of Canfield Ohio Wastewater Treatment Department/Police or another designee. Each Producer shall participate in the Stewardship Plan. Each Producer must Operate, individually or jointly with other Producers;

b. Stewardship Program Costs.

i. A Producer, group of Producers, must pay all administrative and operational fees and costs associated with their Stewardship Program and related Stewardship Plan, including, but not limited to, the cost of neutralizing, transporting, and disposing of Unwanted Products from Consumer Generators and the recycling and/or disposal of packaging from the Unwanted Product.

iii. No Person or Producer may charge a specific point-of-sale fee to consumers to recoup the costs of their Product Stewardship Program, nor may they charge a specific point-of-Safe Drug Disposal fee at the time the Unwanted Products are neutralized from Consumer Generators or delivered for disposal.

ii. A Producer, a group of Producers, must pay all costs and expenses incurred by the City, including but not limited to the Department, in the administration and enforcement of their Stewardship Program. Exclusive of fines and penalties, the City shall only recover its actual costs of administration and enforcement under this chapter and shall not charge any amounts under this chapter in excess of its actual administrative and enforcement costs.

iv. A Producer, a group of Producers, must pay all disposal costs and expenses as of the date that the ordinance codified in this chapter becomes effective. If the City incurs any costs or expenses due to delays in the establishment of an approved Stewardship Plan, the Producer, group of Producers, must reimburse the City in full for such costs.

c. **STEWARDSHIP ORGANIZATION PLAN.** A plan must contain each of the following:

- i. **Certification through A City Contract that the Stewardship Organization will accept all Unwanted Products regardless of who produced them unless excused from this requirement by the Department as part of the approval of the Plan;**
- ii. **Contact information (including the name, physical and mailing address, telephone number, and email address) for the Stewardship Organization submitting the Plan.;**
- iii. **A description of the methods by which Unwanted Products from Consumer Generators will be neutralized, and handled of Drugs in the City, including without limitation a description of the neutralization methods used and the immediate neutralizing of Unwanted Products:**
- iv. **A list containing the name, location, permit status, and record of any penalties, violations, and/or regulatory orders received in the previous five years by each Person that will be involved in neutralization, and/or transporting Unwanted Products and each Medical Waste or Hazardous Waste disposal facility proposed to participate in the Product Stewardship Plan;**
- v. **A description of how the Unwanted Products will be safely and securely tracked and handled from neutralization through final disposal including weight accumulated excluding packaging through the program and the policies and procedures to be followed to ensure security:**
- vi. **A description of the public education and outreach activities required under this chapter and how their effectiveness will be evaluated specifically an in-school education program;**
- vii. **A description of how the scope and extent of the Stewardship Plan are reasonably related to the number of Covered Drugs that are sold in the City, by the Producer or group of Producers:**
- viii. **A starting date when a Safe Drug Disposal of Unwanted Products will begin:**

- ix. **A description of how support will be provided to any law enforcement agencies within the City that have, or later agree to have, a neutralization, safe disposal program for Controlled Substances, including, without limitation: (a) the provision of a Safe Drug Disposal kiosk with appropriate accessories and signage, (b) an ability to accept Controlled Substances and other Covered Drugs, and (c) technical support up to and including an appropriate Person to provide on-site assistance with the Safe Drug Disposal kiosks and law enforcement agency;**
 - x. **If more than one Producer will be involved in a proposed Stewardship Plan, then the Stewardship Plan for that Program must include a fair and reasonable manner for allocating the costs of the Program among the participants in that program, such that the portion of costs paid by each Producer is reasonably related to the number of Covered Drugs that Producer sells in the City.**
- d. **Existing County-Approved Stewardship Plan. If a Producer, group of Producers or Stewardship Organization is/are operating a Stewardship Plan within the County under an existing Stewardship Plan that has been approved by the County of Labette, such Producer, group of Producers, or Stewardship Plan may comply with the above, by supplementing such County-Approved Plan to cover the City and include all items listed in Section “Stewardship Organization Plan” above. The Stewardship Plan, as supplemented, must be submitted to the Department for review and approval of the provisions relating to and/or applicable to the City.**
- e. **Department Review and Approval—Updates.**
- i. **No Producer, group of Producers or Stewardship Plan within the City may begin neutralizing through Safe Disposal, Unwanted Products to comply with this chapter until it has received written approval of its Stewardship Plan from the Department. The City may continue Safe Drug Disposal on an interim basis if there is any delay in establishing a Stewardship Plan as required under this chapter. Once approved by the Department, each Stewardship Plan must receive prior written approval from the Department for any proposed changes to the Plan.**
 - ii. **All Stewardship Plans must be submitted to the Department for approval. Each Stewardship Organization shall submit its initial Stewardship Plan (conforming to the above requirements) to the Department for review**

within sixty (60) days after the effective date of this chapter, or at a later date as approved in writing by the Department.

- iii. Within sixty (60) days after the Department's receipt and review of a Stewardship Plan, the Department will determine whether the Plan complies with the requirements of this chapter and of any regulations adopted pursuant to this chapter. The Department may at its sole discretion conduct a noticed Public Hearing as part of this process.**
 - a. As part of its approval, the Department may set reasonable performance goals for the Program.**
 - b. If the Department approves a Plan, it shall notify the applicant of its approval in writing.**
 - c. If the Department rejects a Plan, it shall notify the applicant in writing of its reasons for rejecting the Plan. The Department may reject a Plan without conducting a Public Hearing.**
 - d. An applicant whose Plan has been rejected by the Department must submit a revised Plan to the Department within thirty (30) days after receiving notice of the rejection. The Department may require the submission of a further revised Plan or, at its sole discretion, the Department may (without any obligation to do so) develop, approve and impose upon the applicant the Department's own Stewardship Plan or an approved Plan submitted by other Producer(s) pursuant to this chapter. The imposed Plan will be presented at a Public Hearing. The Department is not required, and nothing in this chapter shall be interpreted as requiring, the Department to create or impose a Stewardship Plan.**
 - e. If the Department rejects a revised Stewardship Plan or any other subsequently revised Plan, Director of Wastewater Treatment/Police may deem the Producer(s) at issue out of compliance with this chapter and subject to the enforcement provisions contained in this chapter.**
 - f. At least every three (3) years, a Stewardship Plan shall update its Stewardship Plan, explaining any substantive changes to components of the Plan, and submit the updated Plan to the Department for review and approval.**

- g. A Producer who begins to offer a Covered Drug for sale in the City after the effective date of this chapter, must submit a Stewardship Plan to the Department and provide evidence of having joined the existing approved Stewardship Plan within sixty (60) days following the Producer's initial offer for sale of a Covered Drug in the City.
- h. Any proposed changes to a Stewardship Plan must be submitted in writing to the Department and approved by the Department in writing prior to implementation of any change. Notwithstanding the foregoing, for County-Approved Plans, only those changes relating to and/or applicable to the City must be submitted in writing to the Department for review and approval before implementation.
- i. The Department may audit the records of a Producer, group of Producers, related to a Stewardship Plan, or request that the Producer, group of Producers, arrange for the Department to inspect at reasonable times the facilities, vehicles, and equipment used in carrying out the Stewardship Plan.

743.06 DISPOSAL OF UNWANTED PRODUCTS.

- a. Compliance with Applicable Law. Each Stewardship Plan must comply with all local, State, and Federal laws and regulations applicable to its operations, including, but not limited to, laws, rules, and regulations governing the treatment, neutralizing, and safe disposal of Unwanted Products.
- b. Treatment and Disposal. Each Stewardship Program must dispose of all unwanted Covered Drugs by incineration at a Medical Waste or Hazardous Waste facility authorized to accept such waste. Each treatment and/or disposal facility utilized must be in possession of all required regulatory permits and licenses.
- c. New Technologies. Stewardship Plan may petition the Department for approval to use treatment and final disposal technologies, where lawful, that provide superior environmental and human health protection than provided by current Medical Waste or Hazardous Waste disposal technologies for Covered Drugs if and when those technologies are proven and available. The proposed technology, at a minimum, must provide equivalent protection in each, and superior protection in one or more, of the following areas:
 - i. Monitoring of any emissions or waste;

- ii. **Worker health and safety;**
 - iii. **Reduction or elimination of air, water, or land emissions contributing to persistent, bio-accumulative, and toxic pollution; and**
 - iv. **The overall impact on the environment and human health.**
- d. **Packaging Separation. The Stewardship Plan shall allow the Consumer Generators to separate Unwanted Products from their original containers and packaging, prior to safe drug disposal in a container that neutralizes these items.**

743.07 STEWARDSHIP PLAN PROMOTION AND OUTREACH.

- a. **A Stewardship Plan must promote the Program to Consumer Generators, pharmacists, Retailers of Covered Drugs, and health care practitioners (including, but not limited to, doctors and other prescribers, veterinarians and veterinary hospitals) as to the proper and safe method of storage and safe disposal of Unwanted Products using the Stewardship Organization.**
- b. **A Stewardship Plan shall include, but is not limited to, developing, and updating as necessary, educational and other outreach materials for use by Schools of Covered Drugs. These materials may include, handouts:**
 - i. **Signage that is prominently displayed and easily visible to the children.**
 - ii. **Written materials and templates of materials for reproduction by schools to be provided to the schools.**
 - iii. **Advertising and/or other promotional materials related to the Product Stewardship Program.**
 - iv. **An in-school educational program which may include videos, handout material and webinars.**
- c. **A Stewardship Program must prepare education and outreach materials that publicize the Stewardship Program in the City and disseminate the materials to healthcare facilities, Pharmacies, schools and other interested parties. The Program also must establish a website publicizing how the program works and a**

toll-free telephone number that Consumer Generators can call to find safe drug disposal kiosks locations or acquire more in-home safe disposal bottles as needed for their personal use.

743.08 LISTS OF PRODUCERS AND MANUFACTURERS OF COVERED DRUGS.

- a. Within sixty (60) days after the effective date of this chapter (or at a later date as approved in writing by the Department), each Drug Wholesaler that sells any Covered Drugs in the City/County must provide a list of the Producers of those Covered Drugs to the Department in a form prescribed by the Department. Wholesalers must update and submit to the Department such list of Producers of Covered Drugs by January 15th of each calendar year.
- b. Within six (6) months after the effective date of this chapter, or within six (6) months after a Retailer whose label appears on a Covered Drug or on the Covered Drug's packaging starts selling the Covered Drug in the City (or at a later date as approved in writing by the Department), and, thereafter, upon request from the Department, a Retailer whose label appears on a Covered Drug or on the Covered Drug's packaging must provide the contact information of the Manufacturer from whom the Retailer obtains the Covered Drug, including the mailing address, physical address, telephone number, and email address of the Retailer's point of contact at the Manufacturer.
- c. Within six (6) months after the effective date of this chapter, or within six (6) months after a Covered Drug repackaged by a Re-packager is first sold in the City (or at a later date as approved in writing by the Department), and, thereafter, upon request from the Department, a Re-packager whose label appears on a Covered Drug or on the Covered Drug's packaging must provide the contact information of the Manufacturer from whom the Re-packager obtains the Covered Drug, including the mailing address, physical address, telephone number, and email address of the Re-packager's point of contact at the Manufacturer.

743.09 REPORTING.

- a. On or before January 30 (or at a later date as approved in writing by the Department) and in each subsequent year, every Producer, group of Producers, or Stewardship Organization operating a Stewardship Program in the City must prepare and submit to the Department an annual written report

describing the Program activities during the previous reporting period. The report must include, at a minimum, the following:

- i. A list of Producers participating in the Stewardship Program;**
- ii. A list of Retailers and/or Providers participating in the safe disposal of consumer-generated Covered Drugs:**
- iii. The amount, by weight, of Unwanted Products safely disposed from Consumer Generators by street, area or the entire City not to include the weight of packaging material.**
- iv. A description of the safe drug disposal system, including, without limitation, the process of distribution, tracking, returns, and weight excluding packaging.**
- v. The name and location of disposal facilities at which Unwanted Products were disposed of and the weight of Unwanted Products, excluding packaging collected from Consumer Generators disposed of at each facility:**
- vi. Whether policies and procedures for safe disposal, handling, transporting, and disposing of Unwanted Products, as established in the Plan, were followed during the reporting period and a description of any noncompliance:**
- vii. Whether any safety or security problems occurred during safe disposal, handling, transportation, or disposal of Unwanted Products during the reporting period and, if so, what changes have or will be made to policies, procedures, or tracking mechanisms to alleviate the problem and to improve safety and security;**
- viii. A description of public education and outreach activities implemented during the reporting period and their effectiveness, including, without limitation, the methodology used to evaluate the outreach and Program activities;**
- ix. How the Stewardship Program complied with all other elements in the Stewardship Plan approved by the Department, including, without**

limitation, its degree of success in meeting any performance goals set by the Department as part of its approval of the Program; and

- x. Any other information that the Department may reasonably require.**
- b. For the purposes of this section, "reporting period" means the period beginning January 1 and ending December 31 of the same calendar year.**

743.10 PROGRAM ASSESSMENT AND COLLECTION OF DATA

- a. At least once per year, at a time to be determined by the Department, each Stewardship Program will conduct a detailed characterization study of Unwanted Products safely disposed to help assess the effectiveness of the Stewardship Program.**
- b. Assessments shall be conducted in a secure location with proper supervision, in full compliance with federal and state laws, rules, and regulations, and in accordance with guidelines issued by the Department.**
- c. Data collected from Program assessments shall be shared with the Department and other relevant agencies in a timely manner.**
- d. The Department may require additional assessments as needed to address problems or to help determine Program needs.**

743.11 LIST OF PRODUCERS.

The Department shall provide on its website a list of all Producers participating in Stewardship Programs approved by the Department and a list of all Producers the Department has identified as noncompliant with this chapter or any regulations adopted pursuant to this chapter.

743.12 REGULATIONS AND FEES.

- a. The Director of the Department may, after a noticed Public Hearing, adopt such rules and regulations as necessary to implement, administer, and enforce this chapter.**

- b. The City Council authorizes the Director of the Department to charge Producers or a group of Producers participating in a Stewardship Program fees to cover all costs the City incurs in administering and enforcing this chapter. Fees shall not exceed actual costs to the City. As soon as practicable, the Department shall submit to the City Council a proposed schedule of fees to be charged to Producers to cover the City costs of administering and enforcing this chapter.**

743.13 ENFORCEMENT.

- a. The Department shall administer the penalty provisions of this chapter.**
- b. It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter.**
- c. Any Person, Producer, Plan Operator or Organization that violates or continues to violate the provisions of this chapter shall be subject to the penalties, remedies, and criminal, civil and/or administrative enforcement actions set forth in Title of the Municipal Code. Each and every day a violation of this chapter exists constitutes a separate and distinct offense for which enforcement action may be taken.**
- d. In determining the appropriate penalties, the Department shall consider the extent of harm caused by the violation, the nature, and persistence of the violation, the frequency of past violations, any action taken to mitigate the violation, and the financial burden to the violator.**
- e. Whenever the City finds that a Person has violated a provision or failed to meet a requirement of this chapter, the City may order compliance by written notice of violation to the responsible Person.**
- f. The Department may establish appropriate administrative rules for implementing this chapter, conducting hearings, and rendering decisions pursuant to this section.**
- g. Upon the failure of any Person to comply with any requirement of this chapter and any rule or regulation adopted pursuant to this chapter, the City Attorney's office may petition any court having jurisdiction for injunctive relief, payment of civil penalties and any other appropriate remedy, including, without limitation, restraining such Person or Entity from continuing any prohibited activity and compelling compliance with lawful requirements. However, this subsection does**

not permit the City or any court of competent jurisdiction to restrain the sale of any Covered Drug in the City.

- h. Any Person who knowingly and willfully violates the requirements of this chapter or any rule or regulation adopted pursuant to this chapter is guilty of a misdemeanor. A conviction for a misdemeanor violation under this chapter is punishable by a fine of not less than fifty dollars (\$50.00) and not more than five hundred (\$500.00) for each day per violation, or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment.**
- i. The remedies provided by this chapter are cumulative and in addition to any other remedies available at law or in equity.**

743.14 ADDITIONAL PROVISIONS.

- a. Disclaimer. In adopting and implementing this chapter, the City is assuming an undertaking only to promote the general welfare. The City is not assuming or imposing on its officers and/or employees an obligation by which they could be liable in money damages to any Person or Entity who claims that a breach proximately caused injury.**
- b. Conflict with State or Federal Law. This chapter shall be construed so as not to conflict with applicable Federal, State, and County laws, rules or regulations. Nothing in this chapter shall authorize any City agency or Department to impose any duties or obligations in conflict with limitations on municipal authority established by State or Federal law at the time such agency or Department action is taken. The City shall suspend enforcement of this chapter to the extent that said enforcement would conflict with any preemptive State or Federal legislation subsequently adopted.**
- c. Severability. If any of the provisions of this chapter or the application thereof to any Person or circumstance is held invalid, the remainder of those provisions, including the application of such part or provisions to Persons or circumstances other than those to which it is held invalid shall not be affected thereby and shall continue in full force and effect. To this end, the provisions of this chapter are severable.**
- d. Nothing in this chapter, or the Stewardship Program in which Producers of Covered Drug products who sell Covered Drugs in the are required to participate, is intended to protect anticompetitive or collusive conduct nor shall this chapter be**

construed to modify, impair, or supersede the operation of any of the antitrust laws or unfair competition laws of the State of or of the United States.

- e. This chapter shall be construed in accordance with Ohio State law, and shall not be construed in a way that would result in conflict with, or preemption by, any such state law.
- f. **Environmental Findings.** This chapter is entitled to a categorical exemption of the which exempts "actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection."
- g. This chapter shall be in effect for a period of ten (10) years following enactment.

SECTION II

This ordinance shall take effect and be in force thirty (30) days after final adoption.

PASSED FOR PUBLICATION this _____ day of _____
20___ , by the following vote:

Council Members:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

**PASSED AND ADOPTED this _____ day of _____, by the City Council
of the City of _____ by the following vote:**

AYES:

NOES:

ABSENT:

DISQUALIFIED:

**APPROVED: _____
PRESIDENT OF COUNCIL**

**ATTEST: _____
CLERK OF COUNCIL**

Certification of Publication

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

_____.

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

Introduced by: _____

Motion No. _____

MOTION

A MOTION APPOINTING _____
TO THE POSITION OF PRESIDENT OF COUNCIL

WHEREAS, a vacancy exists for the position of President of Council; and

WHEREAS, this Council is empowered by the Charter to appoint a Member of Council to serve as President of Council.

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

Section 1: The Council of the City of Canfield herewith appoints _____ to the position of President of Council.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D. 2023.

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

Introduced By: _____

Motion No. _____

MOTION

A MOTION APPOINTING AN ACTING MANAGER.

WHEREAS, it is necessary from time to time, in the absence of the Manager, for an individual to act as City Manager; and

WHEREAS, Section 5.05 of the Charter of the City of Canfield requires that Council designate an individual to serve as Acting Manager during the absence or disability of the Manager.

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

Section 1: During the disability or scheduled absence of the City Manager, during the calendar year 2023, the following progression of employees shall serve as Acting City Manager;

- 1.) Police Chief
- 2.) Finance Director

pursuant to Section 5.05 of the Charter of the City of Canfield.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2023.

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

MINUTES
CANFIELD CITY COUNCIL
PUBLIC HEARING
DECEMBER 21, 2022-5:20PM

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

This is a public hearing under OLD BUSINESS:

An Ordinance Adopting New Section 1155.24 of the Codified Ordinances of the City of Canfield.

This public hearing was advertised on November 19, 2022 in the Vindicator.

Planning & Zoning have recommended this Ordinance twice to Council.

ATTY. FORTUNATO: Upon recommendation by our city engineers, this new section 1155.24 of our ordinances, clarifies what happens to water and sanitary sewage within a PUD. City Council eventually approves it. Now we require the construction of the utility in accordance with the ordinance. Receipt of certified as built drawings, execution of a post-construction best management practice inspection & maintenance agreement, compliance with all the requirements of the executed subdivider's agreement, a recommendation by the city engineer, council approval. After obtaining all of that, then the city can take over the utilities. However, the last line says, and this is within a PUD, the city will never be required to accept ownership of or maintenance responsibilities for any pump stations. That will remain with the developer. John, you agree to the terms of this new amendment for PUD's, water and sanitary?

PUBLIC WORKS SUPERINTENDENT: Yes.

ATTY. FORTUNATO: Everything has to be built to city specs before we accept. We don't ever accept lift stations or pump stations.

PUBLIC WORKS SUPERINTENDENT: Absolutely.

ATTY. FORTUNATO: I strongly recommend that we get this passed tonight.

MR. MORVAY: What happens to PUD's that we've never inspected? We have no idea if they meet our code or not.

ATTY. FORTUNATO: This would not impact that. This is current and future. This ordinance would only move forward.

PUBLIC WORKS SUPERINTENDENT: There will be private contractors to maintain and take care of those PUD's.

MR. TIECHE: So, we're not going to be required to take these retroactive?

ATTY. FORTUNATO: No.

MR. TIECHE: Well, just reading the language, we couldn't do that because we didn't have the certification and inspections.

ATTY. FORTUNATO: Sure.

MR. TIECHE: That's the question that I had.

ATTY. FORTUNATO: Every PUD that exists, we're not responsible for any of the utilities within the development. To the best of my knowledge.

MR. MORVAY: To clarify, going from this point forward, the PUD's, we're going to be responsible for.

ATTY. FORTUNATO: Correct. We have to check the box of A-D and that's a lot of there, when you read that. There is a lot going on. I should say, 1-7 actually. When all that happens and we're satisfied with the utilities, that they've been installed according to the specs, that they're going to maintain them, provide a bond, the city engineer has recommended, then we'll go ahead and accept them.

MR. MORVAY: Currently, we have Cocca's.

ATTY. FORTUNATO: This would impact them.

MR. MORVAY: There is nobody else, right?

ZONING INSPECTOR: No.

ATTY. FORTUNATO: A couple on the drawing board.

ZONING INSPECTOR: Some in the planning stages.

MR. NEFF: There are probably 4 or 5 in existence right now?

MR. MORVAY: At least 7.

ATTY. FORTUNATO: John, we do maintain the utilities with those PUD's?

PUBLIC WORKS SUPERINTENDENT: We do. We have to. There has to be an operator for water and waste water, so we can maintain those lines.

MR. MORVAY: This has nothing to do with this Ordinance but what about our JEDD; especially out Palmyra Rd? Are we responsible for those as well?

ATTY. FORTUNATO: I believe we are.

PUBLIC WORKS SUPERINTENDENT: We have water and waste water. The township has the roads and storm water.

ATTY. FORTUNATO: And township zoning.

MR. MORVAY: Residents any questions about this Ordinance? Hearing none. Council, anything? Hearing none.

MR. MORVAY: Our regular meeting will start in 5 minutes. We are adjourned.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

MINUTES

CANFIELD CITY COUNCIL
REGULAR MEETING
DECEMBER 21, 2022-5:30PM

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

Absent: Mr. Dragish. *Note, Mr. Dragish entered the meeting at 5:33pm.

Staff present: Christine Stack-Clayton, Finance Director; Mike Cook, Zoning Inspector; Charles Colucci, Chief of Police and Acting City Manager, John Rapp, Public Works Superintendent.

MR. MORVAY: I know we have a presentation this evening.

Under **PRESENTATIONS AND PROCLAMATIONS:**

NICOLE RAMSO: (spelled phonetically): Thank you for having us here. My name is Nicole Ramson, I'm a member of the Canfield Rotary Club. Today, I'm just going to introduce you to the other members of our club who are here and tell you, very briefly about our program. Then we're each going to give you a couple more tidbits about the program. With me today, I have Leslie Butler, she is the past President of our Club and a retired teacher, among many other talents. Linda Warren, again a past President of our club, a retired teacher. She is like a professional Rotarian. I think she spends more time now, than probably when she was working. Chrissy Jenkins is the director of development of Potential Development School for Autism. Larry Bowald is the Pastor at Canfield Presbyterian Church. The project that we want to introduce today is something that we want to start talking about with the City. We would potentially need support and cooperation from the city in a couple of different ways. So, this is meant to start that process. The project is called SMART. It's actually a Rotary Action Group that was created in North America. This project is being carried out by other Rotary groups in other states but it has not been done in Ohio, to the best of my knowledge. What it is, is it's all focused-on prevention related to the OPIOD crisis. SMART stands for the multi-disciplinary approach that this project has undertaken. When our club looked at the various disciplines, we decided to focus on one of the disciplines. So, the acronym, SMART, stands for 5 different things we're focusing on the M, which is for medicine and drug disposal. With that, I'm going to turn it over to the other members of our club to give you more info.

PASTOR LARRY BOWALD: I just wanted to very briefly outline the problem that we're addressing in regards to medicine disposal. This program is addressing, also the problem of drug poisoning, that occurs when prescription drugs are in the water system and prescription drugs are available to people when they're not disposed of properly. I have a couple of statistics to share. In 2020, over 93,000 people died from drug poisoning. It is the leading

cause of accidental death for American's under 40. To put that into perspective, I think the shoe at Ohio State holds about 105,000-110,000 people. So, it's close to filling that stadium, just from drug poisoning. Over 70% of drug overdose deaths in 2019 involved an OPIOD and 79% of drug addicts started with prescription drugs. When prescription drugs are not disposed of properly, they're available to those to develop an addiction. We just need to address that. I think this program provides a simple solution for disposing of prescription drugs.

CHRISSEY JENKINS: Thank you so much for having us. The program is basically a safe in-home bottle that individuals can dispose safely of their medications. A bottle would be mailed to each home and that bottle can hold 60 pills for liquids and it safely neutralizes those pills or drug liquids within the bottle. There are grant dollars that will help pay for this. There is no cost to the city. It's important for a lot of reasons because we know there are drug takeback programs currently in place but there are reasons why people don't take advantage of them. It might not be convenient for them, they might have to wait for a takeback day, driving to a drop off location can be difficult, especially for elderly or sick bound individuals and there are individuals not comfortable walking into a police station to dispose of their medications. That is why this bottle that will be mailed to every home makes it very convenient for individuals to dispose of unwanted or unneeded medications. When that bottle is full, and the medication is neutralized, it can be mailed back at no cost to the individual.

LESLIE BUTLER: One of the biggest advantages that we believe in having these bottles mailed to all homes is because, often times teenagers get started on drugs because of leftover medications that they find in their own bathroom and cabinets. Many teens obtain prescription drugs from family or friends. With this opportunity, family and parents could dispose of their unused medications before they're misused. In my opinion, that's one of the biggest advantages to getting this out there and started. 51.3% of people who misuse pain relievers, in the past year, obtained the pain relievers from a friend or a relative. The drug takeback program only reaches less than 7% of the population. This program would have bottles sent to everybody.

LINDA WARREN: This is not a replacement for the drug takeback, both will be together. The drug takeback is doing what it's doing and the drug neutralization. You say, where is this money coming from? There is no cost to Rotary and no cost to the City for this. It goes back to a Supreme Court decision. It's Alameda County vs Pharma. Pharma is required to take care of unused drugs. The agreement was they were responsible from the manufacturers of the drugs are responsible for eliminating the pharmaceuticals. Your Atty has an Ordinance that is written by the group that does the funding. Once that Ordinance is passed and we implement the plan then we will get the money for it. For Canfield \$7,870 are allocated. If there are folks from the city who are working on this, they will get paid. So, they will be reimbursed for their involvement. Pharma pays all the cost because of the Supreme Court decision. When you say Pharma, you think of pharmaceutical. I thought, I need to look this up. Pharmaceutical research and manufacturers of America, is what Pharma is. It's a safe drug disposal ordinance and it's paid for and it will keep Canfield's water clean. What do you do when you have drugs leftover, oh we'll just flush it down the toilet. It's not a good thing. It gives you a little bit about

what we have in mind. It's a community project by Rotary and (inaudible) it is an international group. Different Counties have different projects going on. If you have any questions, we'll be happy to answer them.

MR. MORVAY: Just to clarify, I'm aware of this program and asked the others to come and present it, so we can get this going down the hill. We'll look at the ordinance a little later.

ATTY. FORTUNATO: It was on your agenda for this meeting but there were some language issues, Chuck raised issues. I saw it as first reading and make some changes subsequent to the second reading. You'll have it on your agenda for the next council meeting.

MR. MORVAY: Basically, you received a bottle at your house, you put your unused drugs in there, it nullifies them, you mail that bottle back to wherever and they send you another bottle back. Again, there is no cost to any of the individuals in the city. If we do any work, we're reimbursed for that. It seems like a worthwhile project.

MR. TIECHE: Is this going to be both citywide and township?

COLLECTIVELY: No.

LINDA WARREN: Citywide as a start.

MR. TIECHE; What is the source of your addresses that you're going to send this out to?

NICOLE RAMSON: We'd like the city, whether they're allowed to provide that information to help us with that. If that's not allowed, we'll pursue other means.

LINDA WARREN: Each residence will get a bottle.

CHIEF OF POLICE: The city would be unable to provide that but the post office should be able to.

NICOLE RAMSON: Thank you.

KATHRYN YOUNG: What does SMART stand for?

NICOLE RAMSON: There are 5 disciplines that the program entails in other states. We're not pursuing all 5 of these disciplines. The "S" is for school education, "M" medicine, "A" stands for awareness, "R" recovery and "T" stands for treatment.

MR. MORVAY: Sir, do you have a question?

UNIDENTIFIED MAN: Where are the pills being mail to and who is mailing back the bottle?

LINDA WARREN: When you receive a bottle, you'll get an envelope with it and once the pills are neutralized and there is an envelope addressed to where they will be sent and then you'll get your new bottle.

UNIDENTIFIED MAN: You don't know where they're being sent or who is sending back the new bottle?

LINDA WARREN: I don't have that information right here.

UNIDENTIFIED MAN: What government agency is sponsoring?

LINDA WARREN: It's not a government agency. It's Rotary.

MR. MORVAY: I thank you and we're going to continue with our meeting, so if you guys want to scoot that's fine or if you want to stay and listen, that's fine too.

MR. MORVAY: Mr. Dragish, do we have any other Proclamations or Presentations this evening?

MR. DRAGISH: I believe there are none.

Under **MINUTES**, the Minutes of the Regular Meeting on December 7, 2022 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MR. TIECHE: I have no communications this evening.

MR. NEFF: I have none.

MR. DRAGISH: I have none.

MR. NACARATO: The only thing I have is, I received a couple communications about the parade. I want to commend you Mayor, for the work that you did for it. The Police Department, the Fire Department and everybody involved. It was a wonderful way to celebrate those two wonderful teams.

MR. MORVAY: I think Chief is going to touch on the smoke test that we had. We're you going to say a few words about that.

CHIEF OF POLICE: I defer that to John. He's probably more in tune with it.

MR. MORVAY: Okay, I'll get to him in a minute. Then Chief when we get to you, the safe zone that we were talking about, you'll talk about that.

CHIEF OF POLICE: Yes.

MR. MORVAY: Our gas and electric, where are we at with that? Do we have a contract?

CHIEF OF POLICE: Yes.

MR. MORVAY: Is it....

CLERK: It's with IGS.

MR. MORVAY: We're getting some kind of a discount now, right? To get out of it, you have to opt out.

CLERK: Right now, it's variable. It's variable until April of 2023, then it's going to be .76 per Ccf, I believe.

MR. MORVAY: You have to opt out?

CLERK: Yes.

CHIEF OF POLICE: Following up on what Council Member Nacarato spoke about the parade, I want to thank Joshua Coholt (spelled phonetically) and the Mayor for their work to put that together. It worked out fantastic. I got questioned quite a bit and I really had nothing to do with it other than coordinating the police. You and Josh did a fantastic job. It was quick. We didn't impact traffic all that much. One semi was on one side of the Green and another semi was on the other side, in the middle was your DJ and public officials that spoke. I spoke to both Canfield and South Range players and coaches and they were thrilled. It felt like it was a Super Bowl parade with the trophy getting handed around. So, awesome job.

MR. MORVAY: If I had to criticize anything it would be the heat. (laughter).

CHIEF OF POLICE: It went fantastic. It was a proud moment and it wrapped up quick. It was great that we got to celebrate that. Giving Coach Pavlansky the Key to the City, he's done an amazing job for Canfield. I would also like to thank Dominic Nacarato, Dominic is the son of Anthony. Dominic is a senior at Canfield High School and a member of Boy Scout Troop 9022. That is out of St. Christine's Church. He started an Eagle Scout Project in January of 2022, working with the city and Architect John Orsini who handled the gazebo and they came up with the design for the new sign boards that are on each end of the Green. The signs are now completed on December 15th, he did receive his rank of Eagle Scout following completion of the job. We'd like to say, thank you to Dominic. Similar to (the name is escaping me) the youth that worked on the War Vet Museum...

MR. NACARATO: Scotty Crawford.

CHIEF OF POLICE: It's fantastic that our youth is willing to get involved and give back to the community. Those signs will be there for a long time. Thank you. Council President Morvay and I spoke, something that the police department has been speaking about, it's kind of informal, but I think we're going to make it formal vs informal, a safe zone to do transactions from Craig's List or any, like Marketplace. On the heels of what happened in Warren, twice in less than 2 weeks, a couple murders. We're going to make a safe zone. We'll get signs and we'll advertise it on our website and the city's website. As far as the smoke report goes, it does have a more technical name than that but I did update you guys last week. During the Fair we had that large rain storm and several homes were flooded on Indian Lake, Hood and Fairview District. John initiated this test and can you touch on it briefly.

PUBLIC WORKS SUPERINTENDENT: Our city crews worked with Ohio RCAP with smoke testing equipment and we smoked the areas of Indian Lake, Hood and Fairview and the entire Fairgrounds; which we also (inaudible) and we found numerous areas where the water can infiltrate into our sanitary system and it's not supposed to be there. That causes our sanitary lines to super charged and what happens is, the sanitary water from our homes can't (inaudible) and it's going to backup. The lowest spots will be affected the most. If we can sit down and educate any of the persons that were found to have infiltration and sit down with the Fairgrounds and come up with a solution to get those areas that we identified rectified. We shouldn't have the problems that we had during that big rain. They're going to have to listen to us and it's going to cost money. We're going to have to get these low areas taken care of and some of these caps. The smoke doesn't lie. We hope it's going to be a nice conversation and they can understand where we're coming from. We don't want our residents to be flooded and have this issue. But we also want to service them and their sanitary.

MR. TIECHE: Didn't we, say 2 or 3 years ago, have meetings with the Fairgrounds in which they needed to do their own infiltration study and remove storm water from getting into the sanitary sewer? That was contingent upon whether or not we were going to provide them with sanitary sewer service any longer. Can we check back and take a look into that? That was somewhat contingent upon us signing off on an agreement for allowing them to tie into our sewer system.

CHIEF OF POLICE: Didn't that have something to do with the lift station?

ATTY. FORTUNATO: I think it did.

MR. TIECHE: With the lift station?

CHIEF OF POLICE: I think it did.

MR. TIECHE: That could be.

PUBLIC WORKS SUPERINTENDENT: I know we had the backflow and they did comply with that.

MR. TIECHE: Well, if we're getting smoke at the Fairgrounds, then obviously they didn't comply.

CHIEF OF POLICE: With that being said, John and I will look into that. We plan on meeting with the Fair Officials as soon as we possibly can because April showers bring May flowers.

MR. NEFF: Are there several lift stations at the Fairgrounds?

PUBLIC WORKS SUPERINTENDENT: Just one. When it's raining at the Fairgrounds and we pull a manhole lid, it's a whole 6-inch pipe of I&I.

MR. MORVAY: Okay, thank you Chief.

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

MR. TIECHE: I do not have a report this evening.

MR. NEFF: I'm going to let Mike take this because I missed the last meeting.

MR. DRAGISH: I have the Mayor's Monthly Statement to Council from Mayor's Court. The total net collections to the city of \$2,671.01. I just remembered after talking about the parade, I appreciate you guys doing everything that you did. You guys did a lot, the police, fire, everybody. I don't know if anybody knows but yesterday, there was an event at Eastwood Mall and it was celebratory for the kids. The Cafaro Foundation gave Canfield High School a check for \$10,000. I thought that was really wonderful. I believe they're going to be reaching out to South Range and Hickory, I believe. I want to say kudos to everybody in the community for helping Canfield. I think we've done everybody proud.

MR. MORVAY: Mr. Nacarato.

MR. NACARATO: Design Review has not met since our last meeting.

MR. MORVAY: I sit on the Fire District. I don't really have anything to report to you. We're working on the part-time union contract right now. Things are going rather smoothly. Did you want to say anything about.....?

MR. NACARATO: I will. I want to commend the Fire District and of course our police department. Unfortunately, my family had to experience the use of 911 and our ambulance service. Let me tell you, fantastic. There are so many reasons to be proud of being part of Canfield but it's just beyond reality. We called 911 and within 4 minutes we had an officer at the door and within 6 minutes we had the ambulance there. They took care of my son, loaded

him into the ambulance and took him to Akron Children's in Boardman. I was just fantastic. We're very fortunate to have that.

MR. MORVAY: Just to repeat. If you're a citizen of Canfield City or Township, we bill your insurance company but you'll never receive a bill from us for the balance. You already pay taxes for that service. What a service it is. I know first hand myself. That concludes my report.

MR. DRAGISH: One more question, since you're talking about the Fire Department, I had somebody approach me and they were wondering why the Fire Department didn't decorate for Christmas. I was like, I don't know, I never really knew that they did. I didn't pay attention. I just said that I would ask.

MR. MORVAY: I don't know.

MR. TIECHE: They drive in red trucks, what do you want. (laughter)

MR. DRAGISH: I said, I'm sure there is no reason.

MR. MORVAY: I thought in the past they had some lights up here. I don't know. Seven Willow Way doesn't either. I'll move on to our Public Works Superintendent, Mr. Rapp.

PUBLIC WORKS SUPERINTENDENT: Good evening. We had 2 water main breaks that we repaired within the past week and a half. We had one on Callahan and one at Sleepy Hollow. The one on Callahan, crews were dispatched about 10:00pm, waiting on OUPS, the gas company to mark their line. After that, we assessed the situation with the road, so at 3:00 when we were done fixing the water break, we got the same crew out salting the roads. Kudos to them. Staying up all night is something that puts you down the next day or two. I just wanted to express my gratitude to those guys, sticking it out. They know they got a job to do and they did it and they did it very well. We've had a couple of salt runs. It looks like coming up on Friday and Saturday, we're also going to be out. We'll be out ahead of it. Icy roads or snow, whatever it brings. The guys are all healthy and the trucks are healthy. We're ready to go. We have a healthy supply of salt. This week we finished vacuuming all the catch basins out. After leaf removal, we go around and get into all the catch basins and vac those out, so it doesn't obstruct the flow of storm water. That's all I have.

MR. MORVAY: I'll make a comment. We have a great team here, John but it starts with the leader and I think you need kudos as well. We'll move onto our Finance Director.

CHIEF OF POLICE: John because you did such a good job and you're the leader, you're dismissed. He has an appointment.

FINANCE DIRECTOR: I have been working on the legislation for tonight. That's pretty much all I've been doing the last couple of weeks. I will have the check registers through November posted on the website in the next couple of days. I'll be all caught up then.

ZONING INSPECTOR: For the month of December, we issued 5 permits for a total valuation of \$76,595.00. I've been working with Farmer's they're doing a replat on the 5 parcels and the one for the new building addition. Signage is coming to Design Review along with a fence. I also talked to the builder for the Dairy Queen. They have plans to rebuild there. Planning & Zoning, last week we granted 3 adjustments, one for a sign on East Main for Tequila Jalisco's, a front setback on Brookpark and an accessory building on Findlay. That's all I have.

CLERK: At your next council meeting on January 4th, we will reorganize and elect a President of Council.

MR. MORVAY: Chief, you're wearing two hats again this evening. Chief of Police and our Acting City Manager. Do you have reports for us?

CHIEF OF POLICE: I'm making a note so I don't forget something. I'm going to start with the City Manager Report first. Yesterday, staff spoke with the EPA and

FINANCE DIRECTOR: RCAP

CHIEF OF POLICE: RCAP and Veolia regarding the rehabilitation of the two water towers. The bottom line is the EPA would like to separate. A quick recap, the water towers, it's a 10-year project, the first 3 years are going to be the rehabilitation of the two tanks. The following 7 years are going to be maintenance, in order to keep the restoration alive and keep the tanks healthy. The EPA insists that we separate the 3-year project and the 7-year project. Obviously, the loan of the 2+ million dollars is going to be utilized in the first 3 years, so they want a contract for the first 3 years; which would be the tank rehab and then the second contract for the annual maintenance. It doesn't change anything as far as the loan goes. It's still going to be a 20-year loan. As we reported the 3.1, Christine just found out it dropped to 2.93. That would be over 20 years. There is a likelihood that by the time the EPA and we come to terms that the rate will fluctuate up or down. Hopefully, down. To wrap it up, it's 3 years for the restoration-one contract. The second contract is going to be maintenance. They just want to separate from the maintenance that we're going to be paying for.

MR. NEFF: Would that because there are two tanks. Are you going to do one at a time?

CHIEF OF POLICE: Absolutely.

FINANCE DIRECTOR: It will take next summer to do one tank and the following summer to do the other. We can only take one offline at a time.

MR. TIECHE: That's the way it showed on their schedule. Year one, it's going to be the ground tank, I think. At any rate, they're going to alternate.

CHIEF OF POLICE: The Damascus Fire Department, we're real close to finalizing that contract. They needed some clarification on one end but nonetheless beginning January 2nd, we will be dispatching, providing 911 emergency dispatching for Damascus Fire. We will no longer be dispatching for Coitsville Fire, they went to Austintown as I reported. I have a few questions on what I reported to you guys in the last month about our Flock Cameras. They're not actually in operation yet. I would call it a test phase, where we're at right now. A lot are up across the city and there have been some questions and speculation. Detective Sgt. Wells has kind of spearheaded this for us. Josh, would you step up there and state your name and address for the record and explain what these cameras are all about. A quick synopsis of what they're going to do.

SGT. JOSH WELLS: Good evening, Josh Wells a Sgt with the police department. Like the Chief just explained, Flock Cameras are the cameras that are being installed throughout the City. The cameras are stationary license plate readers. You may be familiar with the license plate readers that some police cars are equipped with, you see them mounted on an angle to capture license plates as vehicles pass by. These are the same concept except they're stationary. They are motion activated, high speed cameras. They focus in on the license plates of the vehicle and they interface with the software that Flock has. The software that Flock has detects the license plates and vehicle descriptions. So, make, vehicle style, color and things of that nature. That information is translated in one or two options for us at the police department. The most notable thing is the Hot List feature. Hot List is basically, as the vehicles pass by, the license plate numbers are captured. That interfaces with two different data bases, NCIC which is the National Crime Information Center and the National Center for Missing and Exploited Children. It has the capability of sending an alert to those officers on duty that are logged in for wanted persons associated with that car, stolen vehicles, stolen license plates, missing persons, things of that nature. So, that's from a patrol standpoint. When an officer receives the alert, the alert is basically a close-up image of the license plate, an overall vehicle description a photo of the vehicles so they can pick it out, the last photo they see is a google map showing where the vehicle just passed by, so that they can ascertain where do I need to go to intercept this car and get a better look at it. On the backside is also a search feature, predominantly used for criminal investigations. I work in the investigation business so, anytime I can gather information about a crime that just occurred, that's what I'm most interested in. They have a 30 days back period. For instance, two weeks ago, we had a theft at Ace Hardware, we had a vehicle description. This was an instance where I could have searched for the vehicle description in that time frame. If that vehicle traveled into the city and passed one of our cameras, presumably I would have gotten a photo of it and been able to identify the suspect much quicker than I did in this instance. Again, arrest warrants, protection orders, missing persons, stolen vehicles, stolen license plates and burglaries are predominately the Hot List feature and the Search feature as well. I know there have been some concerns if they're related to speed enforcement. These are not traffic enforcement cameras. No facial recognition associated with them. The data is stored for no longer than 30 days. The Chief mentioned that we are in the test phase. So, we were able to get funding for 14 cameras. We currently have 9 up with 5 remaining. Four out of the five should be installed by the end of the month. The last one, we're working on some utility issues, to make sure we don't hit a gas line or whatever. The other concern that was

brought to our attention was what are we going to use the information for. A couple things, number one, I have drafted policy to govern how we use it and under what circumstances. It's kind of in-line with business as usual for us. Legitimate law enforcement purposes only. It had a feature that Flock has, when you run the search feature, you have to enter a reason before it provides you with any results. The easiest thing for us to do is type in the case number associated with the search. If I'm working on a case and that's what the search is related to, type in the case number and that's my justification for the search. The system has an audit feature, so we can keep tabs on the usage that we're having, pick up on any anomalies and address those concerns, if we discover it. I'm trying to think if there is anything else.

CHIEF OF POLICE: While you look at that, I can discuss how we purchased these cameras. We were fortunate this year, we received just over \$15,000 in donations by local families. I don't know if I brought that up in Council that we received these donations or not. They wanted to remain anonymous. But I did discuss what are plans were with the cameras. At the onset, I think Christine and I were against the cameras due to the cost. We hadn't budgeted for them. We really hadn't planned on doing this, this year but in speaking with those families that donated that money, they loved the idea and they support it and embraced it. They wanted us to move forward with it. The remaining balance of that is going to be paid for through our DEA Forfeiture Fund; which is money that comes from forfeited drug cases, drug dealers that get arrested. We have an officer that's assigned to the DEA and he runs a lot of investigations. He also has a K-9 partner that alerts to cash and drugs that are at UPS, FedEx, any post office. We get money from that. With that money, we're going to use to pay for these cameras. They are leased. We don't own them. I just got an email now that they're coming out to winterize them and I don't know if they're just going to spray them down with fluid, like they do with the airplanes. When you check your email, you'll get it. I had two text messages right when our meeting started, I don't know if it was timed but asking about Flock Cameras, so they are not going to funded through our General Fund or the Police Levy Fund or anything like that. We're paying for them with that donation. If it works and it's a success and keeps the city safe, then we'll continue and continue to fund it with our DEA Funds. We've had sensitive information at our fingertips from day one. That's part of our oath of office, that we're going to use it for legitimate law enforcement purposes. Just like our officers have to give a reason when they run a license plate, run a person or criminal history, they're going to have to do the same thing when they go into this system, it's going to be a mandatory field that they have to fill out before it will give them any information. Josh and I are leaning towards, report number, case number.

SGT. JOSH WELLS: I can't think of all too many instances where we wouldn't have a case number. The only thing I can think of is an example that I was going to provide. Myself and our other detective, we serve on the homicide task force. There was a tragedy in Lowellville, a double homicide and we were called out and because we have an MOU with Flock, I have access to the data base. As part of that investigation, we learned that the suspect was in Cleveland. I happened to know in working with Flock over the last couple of months, that Cleveland is where they got their start. So, I knew there were a lot of cameras up there. I ran the suspect license plate through the Flock System and a minute prior to me clicking search, he

just passed a camera in Parma. We were able to relay that information to the (inaudible) Task Force in Parma. They located his vehicle within 10 minutes. It's just an example of how beneficial they can be to, not just the City of Canfield but our different agencies and communities. I know that Niles Police has Flock Cameras. They have seen a tremendous amount of success. Their Chief and I spoke regularly about implementing that here and he's been a resource for me. Since then, I can't tell you how many officers or Chief's have reached out to me, especially after the Lowellville incident, when they found out that, that's how we located him so quickly.

CHIEF OF POLICE: Did Niles have one of our cars that were stolen?

SGT. JOSH WELLS: They did not. That's how I learned about it. We had some vehicle break-ins and stolen vehicles over the summer. I identified the suspect vehicle by a red Chevy Cruze, that's all I knew. There are more than a handful out there. They were in their test phase and he was trying to learn the system. He actually searched a red Chevy Cruze with a sunroof. He sent me 30 pictures, that were crystal clear license plates. Here are all those vehicles that are any of these yours? They weren't but it was incredible that he had that at his fingertips and how quickly that can help the PD solve the case. That's what got us started at looking at these. I heard about them years ago. Dayton is another agency that has had these for a couple of years. I heard about them through training from one of their detectives.

CHIEF OF POLICE: Regionally, Cleveland, Columbus, Cincinnati are major cities in Ohio, that is where the majority of them are at. They are starting to enter smaller cities, Youngstown, Niles, Canfield. Flock was presenting to Poland and Beaver today.

SGT. JOSH WELLS: They had to reschedule but Poland, Beaver, is going to sit in on that as well. North Jackson and I believe Liberty have all reached out. These are all local communities that are trying to benefit from the same type of technology.

MR. NEFF: Will 14 cameras cover all of our major arteries?

SGT. JOSH WELLS: Yes. I needed at least 14 to cover all our entry points. My biggest concern was if I had 10 and I don't place them in the right spots, then I have some dead zones, so to speak. So, 14 includes all of our entry points and then exists at East Main and 224, Lisbon at 446 and North Broad at the turnpike. We have exit and entry at those locations.

CHIEF OF POLICE: We put one at Timber Run.

SGT. JOSH WELLS: Timber Run and Grayson. We even have one coming in from the Township in the back of Stonebridge.

CHIEF OF POLICE: We know for a fact theft suspects have used that to get out of the city.

ATTY. FORTUNATO: I don't have a report tonight.

MR. DRAGISH: I'm glad you explained that. Sometimes social media, they're thinking one thing and one thing leads to another and people start talking and they don't have the information. It's good that you have the information and anything to keep our city safer is, in my opinion, the greatest thing we can do.

MR. TIECHE: Mr. Morvay, earlier comments when we were talking about the tank maintenance, you had indicated 2.93% in interest over the term. Is that a flexible rate?

FINANCE DIRECTOR: No, it's going to be locked in, once we sign the agreement.

MR. TIECHE: Okay.

FINANCE DIRECTOR: It's fluctuating now but once we sign the agreement, it will be locked in.

CHIEF OF POLICE: I don't know when we're going to have the agreement settled.

MR. TIECHE: Okay. I just made that note with a question mark. Okay, good enough.

MR. MORVAY: Chief, are you done with your report?

CHIEF OF POLICE: Yes.

MR. TIECHE: Is the 2.93 on the full 20-year term?

FINANCE DIRECTOR: Yes.

MR. TIECHE: Okay.

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

MR. RON DELLAPENNA: Ron Dellapenna, 467 S. Broad Street. It's good to hear that the city is being kept safe. I wondered two things: What do these things look like?

CHIEF OF POLICE: The cameras?

MR. DELLAPENNA: The cameras.

CHIEF OF POLICE: So, the one near you, we ran into an issue with underground issues but there is one at 446 and 62. It's a black pole, a black solar panel and a camera that's probably that size. Black pole, black solar panel and the camera.

MR. DELLAPENNA: It doesn't flash speed?

CHIEF OF POLICE: No. This has absolutely zero to do with our speed.

MR. DELLAPENNA: I wondered, are the citizens of Canfield are being informed of this program a certain way?

CHIEF OF POLICE: Absolutely. It's not going to be in effect until 2023, probably January or February. Absolutely, we're going to get that message out there. Council has been informed on what we've been planning on. We wanted to lay that out there tonight and launch communication with the community on what it is. I probably have had 10 texts from people that know me. Nobody has called the police department but absolutely, we want to inform everybody what it is.

MR. DELLAPENNA: Thank you.

MR. MICCHIA: Frank Micchia, 220 Glenview. Are these cameras going to be able to tell my wife where I've been? (Laughter)

CHIEF OF POLICE: If you're committing crimes. Otherwise, you're safe.

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. That was my question on the list. I noticed the black ones and they're very hard to see. Someone pointed it out. How many police do we have on the police force for 4 ½ square miles?

CHIEF OF POLICE: 20.

KATHRYN YOUNG: Twenty. Now we have 14 cameras that are going to be tracking license plates. The information goes on a National Crime Information Center, so it does leave our local. I would think it would be something that you would have at least asked the citizens, if they would be up for it. That's a lot of coverage of safety. When I see some of that going on, I have this quote and I think it was from Adams.

CHIEF OF POLICE: The President?

KATHRYN YOUNG: Yes. To give up your freedom for the sake of safety, you'll have neither. It's an old saying. But you can be so safe that it could be crippling. I would think before you turn things on, Josh do you live in the City of Canfield.

SGT WELLS: No.

KATHRYN YOUNG: Chief, do you live in the City of Canfield?

CHIEF OF POLICE: I think you know the answer to that, no.

KATHRYN YOUNG: All you people making decisions for the citizens....

ATTY. FORTUNATO: They're making the decisions. (Pointing to Council)

KATHRYN YOUNG: It should have been something that was at least brought up and say, hey we got \$15,000 there are 6 families (I don't know how many families, I'm just throwing that out there) before you put them up and it's going on a software system. Who owns FLOCK? We're leasing them, so it's not a city owned asset. All this information gets collected, it's a tracking device, as well. It could be. I would think you would ask the citizens if they would be up for that. Especially since there are 14. That's a lot of coverage. One of those black ones is right next to, as you go up 224, you got the cameras there, at the intersections. How much coverage do we need? It's almost like an invasion of the citizens privacy as well.

ATTY. FORTUNATO: There are no expectations of privacy when you're driving on a road. Where is your expectation of privacy on 224?

KATHRYN YOUNG: As soon as you leave Canfield, you don't have all these cameras.

MR. DRAGISH: Sure, you do.

KATHRYN YOUNG: If you go out into the township, you don't.

MR. DRAGISH: Sure, you do. They're everywhere.

CHIEF OF POLICE: Did you know we had cameras at the square and Hillside and East Main and Cardinal? We've had them for years.

KATHRYN YOUNG: I know, the traffic ones. At the corner?

CHIEF OF POLICE: Yes.

KATHRYN YOUNG: You can see them. When the speedometers came in, when you're flashing how fast somebody is going, one of the questions is, I said, what about those cameras? You said, we're not turning those on.

CHIEF OF POLICE: What cameras?

KATHRYN YOUNG: You said that the stalkers (is what they're called) ...

CHIEF OF POLICE: Don't put words in my mouth because there are no cameras with those speed signs. Those flashing signs, I never said that there were cameras that you could turn on.

KATHRYN YOUNG: Originally, I asked if there were cameras.

CHIEF OF POLICE: There are not. Why would you say that I said that, I never said that?

KATHRYN YOUNG: I think it was during the budget meetings.

CHIEF OF POLICE: I think you're 100% wrong.

KATHRYN YOUNG: I have a pretty good memory.

CHIEF OF POLICE: I'll challenge it. If I'm wrong, I'll resign.

KATHRYN YOUNG: You said, they wouldn't be used for that. We were going to buy them. Before they were in place. A

MR. DRAGISH: To be honest, take a drive down 224 and you'll see cameras all the way down into other communities. It's not that we're trying to be "Big Brother" I look at it as, it's improving the safety of our community. We're not going after Joe Blow that wants to go down the street to his girlfriend's house. We're going after somebody that has committed a crime. There is a case number. They've stole a car, they did something to a child, that's who you're looking for. I would like to NOT have those people in the City of Canfield and get picked up as soon as possible. I think it's great. It's my opinion.

KATHRYN YOUNG: I just think the citizens should have been polled.

MR. TIECHE: What are you going to poll all the citizens of Canfield for?

KATHRYN YOUNG: If they would want their license plates.....

MR. TIECHE: So, you get 3 votes that say no. What do you tell the other 4,500 people? They don't get a vote?

KATHRYN YOUNG: No, that's what a democracy is.

MR. TIECHE: You have to have how many votes then? So, if we have 7,500 people you have to have 3700 to pass something? Is that right?

ATTY. FORTUNATO: People do have a say, every 4 years, right there.

MR. TIECHE: That is what City Council is designed to do.

MR. MORVAY: We're going to move on. My dad always told me, there is always somebody watching you. Always do the right thing and you never have anything to worry about. Any other questions for these reports? Hearing none.

Under Persons Desiring to Appear Before Council:

MR. MICCHIA: Good evening, Frank Micchia, 220 Glenview. On December 16th, there was an interesting article in the Vindicator. It was an editorial, entitled make 3 reading consistent practice for law passage. A few quotes from it. Bodies appear to go out of their way to limit public input. That's exactly what's happening when municipal councils pass important issues as emergency legislation or fewer than normally required readings. This has to do about Niles. Niles City Council is one of the local public bodies that has been notorious for passing important legislation consistently on less than 3 public hearings. Ohio law is clear, passage of Ordinance and Resolutions of a municipal corporation shall be read on 3 different days before passage. Intended for emergency situations, this practice improperly has become common place, in local elected places. Sometimes (inaudible) adoption is critical, particularly dealing with things like grant applications or other critically timed issues, like emergency infrastructure situations. But in many non-emergency situations, rushed passage could be avoided simply with better organization. This article could be about the City of Canfield. I've been coming to meetings many years, and just about everything that goes through Council is an emergency.

ATTY. FORTUNATO: Not true. They might be read in one reading or by title only but they're not an emergency.

MR. MICCHIA: Council calls it an emergency.

ATTY. FORTUNATO: It's rare. An emergency is rare. When we have legislation that is read in one reading, that is not an emergency. You have one item tonight that is an emergency but that's not the normal practice. One reading is.

MR. MICCHIA: In my opinion, there can't be that many emergencies. That leads me to the question, where does the agenda for these meetings come from? We come to meetings, there is an agenda. How did it get here? Who made that agenda? Does council participate in the agenda? Where does it come from?

ATTY. FORTUNATO: Everybody, zoning, council, finance, etc.

MR. DRAGISH: We all participate, we put it to them, they put the list together and we approve it. That's why we approve it at the end of every meeting.

MR. MORVAY: The City Manager, usually is the one that originates the legislation. Then it gets on our agenda and we vote on it.

MR. MICCHIA: It seems that it appears out of nowhere.

MR. MORVAY: There is a need. There is an ordinance written. We vote on it.

MR. MICCHIA: I don't see council as participating in the agenda. I could be wrong.

MR. TIECHE: As an item, for example, we had an item that was going to be on the agenda this evening, I questioned the legislation and it was removed.

MR. MICCHIA: Good job, Chuck.

MR. DRAGISH: Those things happen all the time. We get these sheets. We just don't like, click our fingers and it appears. There is a reason why stuff is on here.

MR. MICCHIA: I'm pleased to hear that they're well thought out. I hope it continues that way but it looks like it's pretty much locked in and I'm not sure how it got there. Merry Christmas!

COLLECTIVELY: Merry Christmas!

MR. MORVAY: At this time, I'll ask any other resident that is not signed up, if they would like to speak. Hearing none, we'll move on.

Under **OLD BUSINESS:**

ITEM A: An Ordinance Adopting a New Section 155.24 of the Codified Ordinances of the City of Canfield.

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. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. TIECHE: Mr. President, I have an Ordinance Adopting a New Section 1155.24 of the Codified Ordinances of the City of Canfield. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Counselor, we had a public hearing on this can you briefly explain to us what this ordinance is?

ATTY. FORTUNATO: This is in relation to public utility, the infrastructure in a PUD and the steps that need to be taken before the city will accept those items of infrastructure. It also excludes lift stations from ever being under the ownership or management of the city. That's it in a nutshell.

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

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2022-57.

Under **NEW BUSINESS:**

ITEM A: An Ordinance Authorizing Change Order Number 1 (final) for Lindy Paving, Inc. (2022 Road Resurfacing Project).

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) for Lindy Paving, Inc. I move for passage.

MR. NACARATO: Second.

MR. MORVAY: Chief, were passing this Ordinance, this is one of our resurfacing projects. Can you explain?

CHIEF OF POLICE: Lindy Paving was awarded the bid for the annual street resurfacing project in July 2022. As a result of reduced quantities needed for some of the items, there is a need for a change order from the original contract with Lindy Paving. The Ordinance authorizes change

order number 1 with Lindy Paving for the 2022 annual resurfacing project by reducing the original contract amount by \$70,194.89. It's simply a reduction. They didn't need all the quantities of asphalt and such.

MR. MORVAY: That's good news. Council questions? Hearing none. Residents questions? Hearing none.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2022-58.

ITEM B: An Ordinance Approving an Agreement to Purchase Water from the City of Youngstown 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. DRAGISH: 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. TIECHE: Second.

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

MR. DRAGISH: Mr. President, I have An Ordinance Approving an Agreement to Purchase Water from the City of Youngstown and Declaring an Emergency.

MR. NEFF: Second.

MR. MORVAY: Chief, what's this Ordinance with the City of Youngstown?

CHIEF OF POLICE: I defer to Mark,

ATTY. FORTUNATO: I'm very happy with this Ordinance. In 2017, the city entered into a long-term water agreement with the City of Youngstown, with some pretty favorable rates and some other provisions. Youngstown approached us about 6 months ago and wanted to reduce those rates. I think it had something to do with our metering program and some other things that had gone on between the cities. But in essence, I think we're taking very favorable rates over a 20-year period and converting them over to a 30-year agreement at lower rates. For example, in year 20, the cost per billable from Youngstown to Canfield would have been \$11.63. In year 20 of the new agreement that \$11.63 is \$6.43; so almost in half. There are some increases for the first 10 years starting 4-21 in line with the current agreement. In year 10, the rates can be increased up to \$6.43. Under the current agreement that number would be \$8.25. So, across the board, there are much better rates. The agreement also locks in the city's water supply for 30 years; which I think is a really great thing. Further than that, we were able to negotiate provision, for the first 10 years of this agreement, the rate charged by Youngstown for its inside city users, our rates always adjust, but they agreed for the first 10 years, regardless what they do with their inside usage, our rate stays the same. So, in years, 11-30, that would apply. But not in years 1-10. It applies in all 20 years now with our current agreement. All in all, no other subsequent terms of the agreement changed, just the rates. I think we have a much, much more favorable rate, range and time period, than we've ever had with this agreement.

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

MR. MICCHIA: Frank Micchia, 220 Glenview. I agree Counselor, this is a good contract. It's a benefit to the city as compared to the previous agreement. Well done! The cost going from four dollars and some cents to six dollars and some cents over the 10-year period. That's about a 50% increase in the cost, per unit; which is 100 (inaudible). I did some calculations on my impact. I currently pay about \$220.00 a month.

MR. MORVAY: You pay \$220.00 a month?

MR. DRAGISH: Every 3 months.

MR. MICCHIA: Every 3 months. I drink a lot of water. At the end of 10 years, it would be \$272.00. It's not a disaster. It's a much better contract. Going from \$220 to \$270, assumes that nothing else, except the cost of water changes. Thank you.

RON DELLAPENNA: Ron Dellapenna, 467 S. Broad Street, Canfield. Will the savings be passed on to some degree to the residents of Canfield?

ATTY. FORTUNATO: That's for Council to decide. I don't think that's a decision for today.

MR. MORVAY: I think we should be upfront with you. Our water fund is behind. We're going to be looking at raising the rates in January. I'll just be upfront with you on that. As far as how much, we haven't sat down with Christine yet but there is a need.

KATHRYN YOUNG: Kathryn Young, 570 Barbcliff. This schedule that appears on the paperwork, this is the price that Canfield pay, is that correct?

COLLECTIVELY: Yes.

KATHRYN YOUNG: When we get into those next 20 years, when there is like zero percent increase, for 20 years, that's awesome. Does that mean Canfield as well is going to stick to a zero percent increase after a few years?

MR. MORVAY: They'd have to raise the rates in Youngstown, then they would be able to raise our rates in Canfield, is what the agreement is. For the first ten years, that's not true but from 20 to 30, if they raise them in Youngstown, they can raise them here.

KATHRYN YOUNG: So, this zero that's on here is not....

MR. TIECHE: That is only for the cost that we buy water from the City of Youngstown. We have employees within the water department and there is a salary increase for employees, or if there are other increases within the water department that we are absorbing, then that can result in an increase in rates to the consumers of Canfield.

MR. DRAGISH: We never passed along back in '14-'15, we never passed along the influx of cost from Youngstown Water. That's why we had to increase the rates in Canfield at that particular time.

KATHRYN YOUNG: Is there a certain percentage that Canfield uses currently as a markup for what, is there a certain percentage that we use currently right now?

MR. TIECHE: No.

KATHRYN YOUNG: But there is a markup?

MR. TIECHE: There is a markup.

KATHRYN YOUNG: It's not a percentage.

MR. TIECHE: The cost of doing business with the water department can change. For example, if we're going to be paying debt service on tank maintenance, that's going that's going to have to be built into our water rate at some point. If we've got a lot of water breaks within the system, we had to buy a lot of clamps and that kind of thing, the guys are out more doing repairs, that's going to increase our cost because of overtime wages and that kind of thing. That increases what the water department fund is. Take for example, this year's fund was \$100,000, just to say that was the overall cost of operations. If next year, the cost of operating water is going to be \$120,000, we've got to make that up as far as what we're receiving from our customers by way

of a bill to individual customers. So, that's going to potentially be reflected in the water rate increase.

KATHRYN YOUNG: Citizens. From the citizens?

MR. TIECHE: Yes.

MR. MORVAY: That's who uses it.

KATHRYN YOUNG: The other question I had was, in this paperwork, this is probably a question for Mark, the access to the meters, in the contract that will be signed, this has to do with purchasing the water from Youngstown. It says, Canfield shall allow Youngstown access to the automated metering infrastructure collection point at Hilltop. The last sentence says, this collection point shall be utilized by Youngstown in administrative and operation of their AMI System to provide redundancy readings.

FINANCE DIRECTOR: They also have Smart Meters and they're using our tower to put an antenna to help them get readings off of their meters.

KATHRYN YOUNG: Not our meters. Okay that's the question.

MR. TIECHE: Part of that may be reading our master reading at Kirk Road.

FINANCE DIRECTOR: They may be doing that too but this is for their own meters.

MR. MICCHIA: Frank Micchia, 220 Glenview. I think I can answer one of Kathryn's questions. The markup on water, the last time I checked was 70%. Right now, we pay 1.112 cents, per gallon just for the water. In addition to that, there are sewage fees and bond fees, etc. etc. It gets the costs up, per gallon to around 2.7 cents.

MR. TIECHE: Wait a minute. That's not right. You're saying water and sewer fees. Water and sewer fees aren't calculated into our water bill. Your utility bill.

FINANCE DIRECTOR: Your bill goes to 5 different funds, not just one.

MR. MICCHIA: I'm saying the net to the customer, we pay about 2.7 cents, per gallon, all things included. That's pretty darn close. I follow it every month. I have a program that calculates it and it comes out exactly to what I'm charged.

MR. MORVAY: If we didn't have overhead, we'd charge the same. But we have overhead. Anybody else? Hearing none.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes.
Ordinance 2022-59.

ITEM C: An Ordinance Amending Ordinance 2022-47, Annual Appropriation Ordinance to make Appropriations for Current Expenses and other Expenditures of the City of Canfield, State of Ohio, During the Fiscal Year Ending December 31, 2022.

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. NACARATO: Mr. President, I have an Ordinance Amending Ordinance 2022-47, Annual Appropriation Ordinance to make Appropriations for Current Expenses and other Expenditures of the City of Canfield, State of Ohio, During the Fiscal Year Ending December 31, 2022. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: I'm going to go the Finance Director for the explanation.

FINANCE DIRECTOR: Typically, I do these amendments 2 or 3 times a year, besides this one. This year, we only had one, so there is a lot in here this time. The biggest highlights, we needed an additional \$90,000 in income tax refunds. We had 3 very large ones, about \$60,000 to two companies for overpayments of income tax. A \$6,500 one to a township resident, not a city resident. General Services was an error that I made in the original budget and did not have the MS Consultants Engineering fees in there. The other really large one is the health care self-insurance fund, \$462,000, that is offset by an adjustment to the Certificate of Resources. We

got checks from our stop/loss carrier to pay those amounts we owed to vendors for, it was actually one very large claim.

MR. MORVAY: Council questions?

MR. NEFF: There was one Christine of \$120,000, you don't have to do that tonight but when you can, can we break that out, so we can see how much goes to MS and how much goes to our website company and how much....

FINANCE DIRECTOR: I had to increase \$8,000 for 45Press, and \$104,000 for MS Consultants. There was a maintenance amount on the Swagit; which is what we use to record council meetings of \$6,500 that I didn't have in the original budget.

MR. NEFF: Thank you.

MR. MORVAY: Questions Council? Hearing none. Residents, questions?

MR. MICCHIA: Frank Micchia, 220 Glenview. A couple of items that I'm curious about. Under the Income Tax Department, there is a \$90,000 charge.

FINANCE DIRECTOR: That's the refunds I was just discussing.

MR. MICCHIA: It's not showing a bracket.

FINANCE DIRECTOR: It's what we pay out in refunds to taxpayers.

MR. MICCHIA: Under General Services there is \$120,000.

FINANCE DIRECTOR: That's just what we were discussing.

MR. MICCHIA: The police department has an \$82,600 charge.

FINANCE DIRECTOR: Twenty Thousand under Personnel Services is for self-insurance. The contractual services, the law enforcement liability insurance went up. Our vehicle leases and support, we had support on our cradle points and switches, that we converted to a multi-year. So, it was additional money that we had to budget for. Supplies was gasoline, bullet proof vests for the officers and we purchased two additional radios from the fire department. Capital Outlay was a third dog that we purchased and that was with a donation.

MR. MICCHIA: Thank you.

MR. NEFF: The dog was a donation. I thought it was a \$25,000 donation and we only spent \$17,000 so far on the dog.

FINANCE DIRECTOR: Yes.

CHIEF OF POLICE: Do you have the cruiser upfitting in there?

FINANCE DIRECTOR: It's already in the budget.

CHIEF OF POLICE: Okay. It was cruiser upfitting that would have but we took it from what was already allocated.

FINANCE DIRECTOR: Additional things we had to do to the cruiser for the K-9.

MR. NEFF: Oh, okay.

CHIEF OF POLICE: The cage and the alert if it's too hot in the car.

MR. MORVAY: Pat.

ROLL CALL ON ORDINANCE:	5 Votes-Yes 0 Votes-No Ordinance passes. Ordinance 2022-60.
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ITEM D: An Ordinance Providing Transfers to Various Funds.

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.
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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.
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MR. TIECHE: Mr. President, I have an Ordinance providing transfers to various funds. I move for passage.

MR. NEFF: Second.

MR. MORVAY: We need to transfer an additional \$10,000 to the Parks Fund for Cupola on the Gazebo. Wade and I were aware of that. At budget we talked about it. We did not want to make that transfer because we cannot take it back, if it didn't happen. In March, when we were discussing budget, we weren't sure whether the gazebo was going forward or not, so we decided to wait.

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

MR. MICCHIA: Frank Micchia, 220 Glenview. Our of the Police Department Operating Levy Fund, there is like \$774,000.

FINANCE DIRECTOR: We're talking about a transfer.

MR. MICCHIA: I'm one step beyond.

MR. MICCHIA: Any other questions about this transfer ordinance? Hearing none, Patty.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes

Ordinance 2022-61.

MR. NEFF: Can I ask something since this is about the Cupola. Since that is part of the gazebo, I would have thought it would have been part of the original.

MR. NACARATO: It was part of the original design. The City had offered, since Rotary was taking donations for the gazebo project. They offered to purchase the cupola as a donation for the project.

MR. NEFF: I don't remember that in a meeting.

MR. NACARATO: I'm not exactly sure where it came up.

FINANCE DIRECTOR: Budget meetings.

MR. NEFF: It would be a good time to point out that I'm not for making a handicapped accessible but not ADA Compliant addition to the gazebo. I think it might put the city in some sort of position where ...

ATTY. FORTUNATO: It sure would. I haven't heard that. I will say this. I have had to hire an architect on a number of different occasions regarding ADA issues. I have not found an architect yet, who can identify with any accuracy assurance what those standards are in terms of ADA compliance. It's very difficult. However, I would never be in favor of designing anything that is not, at least made a good faith effort to be ADA compliant. I'll say that.

MR. NACARATO: In the quote, that was stated, it was a little misrepresented. The concept was it's going to be accessible but because of the variance in how compliance is, we don't want to state that it's going to be compliant. It's going to be accessible. Not that it won't be compliant. It's a lot easier to say that it's accessible rather to state that it's compliant with the changes they come up with constantly in the ADA.

ATTY. FORTUNATO: Nobody can ever tell you, in my opinion, that that door is ADA Compliant.

MR. NEFF: I would suggest that maybe we as council should think about helping Rotary with that section because perceive that might be a stumbling block in getting it operational this spring.

MR. NACARATO: I know that Rotary would accept the help.

MR. NEFF: Since John Rapp isn't here, I can ask him to be in charge of coming up with....

FINANCE DIRECTOR: That's what we can talk about during budget meetings in February and March.

MR. NEFF: Thank you, Christine.

ITEM E: Temporary Appropriation Ordinance

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. DRAGISH: 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. NACARATO: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MR. NEFF: Mr. President, I have an Ordinance for Temporary Appropriation Ordinance. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Christine, can you explain this?

FINANCE DIRECTOR: This is our temporary budget for 2023. It has most of the salaries, personal costs in there. They need to be tweaked a little bit for insurance but most of that is in. Anything that we discuss during February and March budget hearings, that will all be added into for the final budget by the end of March.

MR. MORVAY: This is just a temporary budget.

FINANCE DIRECTOR: To keep us operating until we do the final budget at the end of March.

MR. MORVAY: Questions, council? Hearing none. Residents?

MR. MICCHIA: Frank Micchia, 220 Glenview. On the police levy, \$775,000, that levy bring in about \$800 and some thousand, where does the rest of that money go?

FINANCE DIRECTOR: There are no capital expenses in here yet. So, anything that the Chief wants to get that's large is going to be in there still from budget hearings.

MR. MICCHIA: So, the \$800 and some thousand does get spent for the police.

FINANCE DIRECTOR: Yes.

CHIEF OF POLICE: Police cruisers and equipment. We'll discuss that at budget.

MR. MICCHIA: One other item, the bottom line is \$12 million and some dollars. The previous expenditure was 16 million dollars. Where is the difference?

MR. TIECHE: Capital items. There are no capital items in the temporary appropriations.

MR. MICCHIA: There are no capital items? Okay, thank you.

MR. MORVAY: Any other questions for this particular ordinance? Hearing none.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes.

Ordinance 2022-62.

Under Council Comments:

MR. TIECHE: Members of Council, citizens, it's been a pretty good year, all in all. I would like to thank everybody that was involved in the high school football programs, either as participants or whatever. All of those that put the parade on, I thought it was great. From my vantage point, I had my back to you and couldn't hear anything that you were saying but that's how things happen. Other than that, Merry Christmas!

MR. NEFF: I also want to give kudos to the Mayor and the Police Chief. Great job on the parade. It was a cold day. I was there but I took my dog and had to keep him on his leash and stay in the center. It was a great time for all of us. Thank you, very much.

MR. DRAGISH: I already mentioned the parade. I want to give a major kudos to Christine. On Sunday, I feel like the week and the weekend goes together. We feel like we're always working all the time; which is terrible. I totally forgot I have the Proclamations and the Key and they're in the City Bldg. but it's Sunday, what am I going to do. Well, one of the police officers enabled me to come into the door but then all the offices were locked. Christine was upstairs working. I said, thank God you're here. She opened the door for me and I was able to present the key to the city. The patrolman was like we might have to break the window. I'm like no, we don't have to do that. Everything worked out well. Kudos to everybody that helped me do what I need to do. Thanks to you guys for coming and braving the cold weather. It's such an accomplishment for these kids. I feel like I don't want to let it go. I feel like they'll have this with them forever. I feel very privileged being the Mayor at this particular time. It's a cool thing. I wanted to do as much for Canfield and the kids. Merry Christmas! Happy New Year!

MR. NACARATO: It's been a crazy year, personally. It's been insane. Professionally, it's been working with this group. Working with the people in the community. I appreciate the fact that I have the opportunity to serve you guys. I hope that you're happy with the way we serve you. I am very proud of this community. I'm glad to be part of it. We have a wonderful community to be proud of. Merry Christmas to all. Happy New Year and may 2023 be a lot better for all of us.

MR. MORVAY: I want to see how smart everybody is here. What did Adam say on the day before Christmas? It's Christmas Eve. What do you call a Reindeer Ghost? A caribou. What kind of linens do gingerbread men put on their beds? Cookie sheets.

MR. TIECHE: I move we adjourn. (Laughter)

MR. MORVAY: One more. What do you do if your car stalls on Christmas Eve? Get a mistletoe. Merry Christmas! See you next year. We are adjourned.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL