

AGENDA

CANFIELD CITY COUNCIL

November 1, 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.

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. A **Resolution** Consenting to the Proposed Annexation of 1.993 Acres of Land as Filed with the Mahoning County Commissioners by Paul E. Sherba, Agent for the Petitioners.

**Description:** Paul Sherba of 7320 W. Akron Canfield Road in Canfield Township has petitioned for annexation with the Mahoning County Commissioners. This is a Type 2 annexation being filed under R.C. 709.021(A) and R.C. 709.023 (A).

**Action Needed:** Passage of Resolution and submit Resolution to Mahoning County Commissioners Office.

**Attachment(s):** Exhibit A.

- B. A **Resolution** Designating Services Available to Land Proposed for Annexation to the City.

**Description:** When someone petitions for annexation we have to provide a Resolution stating the services available. This Resolution states that we will provide water and sewer, police protection, road maintenance and any other services provided to residents.

**Action Needed:** Passage of Resolution and submit to Mahoning County Commissioners Office.

**Attachment(s):** Resolution and map.

12. Council Comments.

13. Adjournment

Introduced by: \_\_\_\_\_  
First Reading: \_\_\_\_\_

**RESOLUTION**

A Resolution Consenting to the Proposed Annexation  
of 1.993 Acres of Land as Filed with the Mahoning County  
Commissioners by Paul E. Sherba, Agent for Petitioners

**WHEREAS**, Paul E. Sherba, Agent for Petitioners, is proposing to  
annex 1.993 acres of land at 7320 W. Akron Canfield Road in Canfield  
Township to the City of Canfield; and

**WHEREAS**, in accordance with ORC 709.023(D) Council desires to  
consent to said annexation; and

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

**Section 1.** That pursuant to ORC 709.023(D), The Council of the  
City of Canfield hereby consents to the proposed annexation of 1.993 acres  
as filed by Paul E. Sherba, Agent for Petitioners.

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

PASSED IN COUNCIL THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

Certification of Publication

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

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED TO FORM:

\_\_\_\_\_  
MUNICIPAL ATTORNEY

EXHIBIT A

Situated in the Township of Canfield, County of Mahoning and State of Ohio:  
And known as being Lot Number One (1), as shown in a Plat thereof known as J. C. & P. A. Weaver Plat  
No. 1, recorded in Volume 84, Page 218, Mahoning County Records of Plats.

PPN: 26-011-0-014.00-0

Property address: 7320 W Akron Canfield Road  
Canfield, OH 44406

Prior Instrument: OR Vol 5450, Page 1084

Introduced by: \_\_\_\_\_  
First Reading: \_\_\_\_\_

## RESOLUTION

### A RESOLUTION DESIGNATING SERVICES AVAILABLE TO LANDS PROPOSED FOR ANNEXATION TO THE CITY

**WHEREAS**, the Council of the City of Canfield has received written notice in conformity with ORC §709.023 of the filing of a petition and proposal to annex the 1.993 acre of property depicted on Exhibit A, attached hereto and incorporated herein, located contiguous and adjacent to the City of Canfield, in Canfield Township by Paul E. Sherba, Agent for Petitioners; and

**WHEREAS**, Pursuant to ORC 709.023(C), Council is required pursuant to ORC 709.023(C) to provide a statement within twenty (20) days after the filing of the annexation petition indicating what services are available to the territory proposed for annexation and an approximate date by which it will provide them, to the territory proposed for annexation.

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

**Section 1.** The City of Canfield will provide the proposed land for annexation the following services as currently provided to all residents and property owners within the City of Canfield:

1. Water and sewage services subject to the payment for such services at the rate periodically established by the City for said services and charged to residents and entities located within the City. The owner(s) shall bear the cost of any infrastructure necessary to have water and sewage available upon the newly annexed territory.
2. Police protection at the level of service provided to all residents and entities located within the limits of the City.
3. Road maintenance and snow and ice removal at the level of service provided to all residents and entities located within the limits of the City. To the extent that any street or highway is divided or segmented by the boundary line between the township and the City that creates a road maintenance problem, the City agrees to and shall assume the maintenance of those portions of the street or highway for which a maintenance problem was caused by the annexation or to otherwise correct the problem.
4. All other services currently provided to all residents and property owners within the City of Canfield.

**Section 2.** That these Services shall be provided beginning on effective date of the Annexation.

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

PASSED IN COUNCIL THIS \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

Certification of Publication

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

\_\_\_\_\_  
CLERK OF COUNCIL

APPROVED TO FORM:

\_\_\_\_\_  
MUNICIPAL ATTORNEY

EXHIBIT B





MINUTES  
CANFIELD CITY COUNCIL  
**REGULAR MEETING**  
OCTOBER 18, 2023-5:30 P.M.

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

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

Under **PRESENTATIONS AND PROCLAMATIONS:**

MR. MORVAY: Mr. Preston is going to do a presentation for us. Before you get started, was there anything else you needed to have time for Mayor?

MR. DRAGISH: I do not.

MR. MORVAY: Steve Preston is our engineer. So, take it away.

STEVE PRESTON: Steve Preston, MS Consultants. Chief Colucci asked me to come tonight. The City has been getting some concerns from the daughter-in-law of the homeowner at 11 Sawmill Run, this property right here. We went back in the records and we found that in 2017, Phase 3 of the North Broad Street Improvement Project took place from Dartmouth to I-76. As part of that project they did some drainage improvements and curbing on 46. They actually curbed the road and they put in two new curb and catch basins, that basically dog house right into a storm sewer that runs the corner of Public Works drive, all the way to the west side and eventually wraps through Villa Theresa and ends up at Sawmill Creek. So, right by your house. The homeowners complaint since that project that the runoff and flow has been higher than what they saw before the project. So, after taking a look at it and taking a look at the drawings from 2017, I think it is likely that there is additional flow. The reason I say that is, for the project, the water would hit the road and flow off into the grass and eventually make its way down into a channel, on the southwest corner of that property. After the project, the water would hit the road and go directly into those inlets at a fast, what we call time concentration. So, it's getting everywhere quicker now. There is a pipe from this junction right here, that runs through the backyards and ultimately discharges into the channel right in this location. The USGS, the United States Geological Service, they actually classify this area as being an intermittent stream. Any improvements that the city were to make to help this lady with her flooding, will require Army Corp Permitting. I had our environmental planners take a look at this before we did anything. Chief, Mike, John and I have been talking about this for a few months. I don't know if you guys all received the memo that I wrote about this. But before we do anything, John met with JCM Contracting, they came out and gave a quote to replace this pipe through here, pipe in part of the ditch and then let it outlet, like it does normally now. In order to do that, we'd



have to get an Army Corp permit. The total cost for the project, you're probably looking at \$30,000-\$40,000 to get the permitting and construction. The other thing, this is all on private property. There is no existing easements. In order to do that, easements would be required by the city. Fair Market Value would have to be offered for those easements. You would hope, because it's going to help them that they would donate that property. So, I just wanted to give you an update as to what we've been doing with this project and give you all the information that we have.

MR. TIECHE: Steve, where would the new pipe installed, where would it terminate?

MR. PRESTON: It would terminate, essentially in the south west corner. You can actually see, there is a clearly defined channel. The videos that we've seen, you can tell that it is acting as a stream. The term, intermittent stream, that actually means there is only water when there are heavy rain events. It's not a full flowing stream all the time.

MR. TIECHE: Thank you.

MR. PRESTON: Any other questions?

MR. MORVAY: I guess, where are we at in project? What's our next step?

MR. PRESTON: The next step would be, if the city wants to go forward with the project, you need to get an engineer onboard to do the permitting. There would have to be a site plan made for the permit. Once we have the permit, which lately it's been taking 90-120 days, once you submit it. Then you can move forward with the construction, with the quote that JCM has given John.

MR. TIECHE: It sounds like we also need to provide some money in the budget for that.

CHIEF OF POLICE: Absolutely. That's why I asked Steve to come in. We have a resident who is obviously waiting for an answer. She has been patiently waiting for several months, as we've been discussing it. I wanted to have Steve, this is his specialty, rather than have me explain it to you. It's going to take, obviously a substantial amount of money, to make it right. I think what complicates it more, is there is a natural stream there; which is why we need the permit from the Army Corp of Engineers.

MR. TIECHE: Is the property owner receptive to giving us an easement to do the work?

ZONING INSPECTOR: We have not talked about that. She was asking what our next steps are. I'm sure, in their best interest, they probably would grant you an easement, in my mind.

CHIEF OF POLICE: I would say, yes.

PUBLIC WORKS SUPERINTENDENT: We would need two, right?

STEVE PRESTON: Two properties.

MR. TIECHE: The first one and the second one.

STEVE PRESTON: Exactly.

MR. NEFF: Is the flooding affecting the buildings at all?

STEVE PRESTON: I don't believe so.

ZONING INSPECTOR: The back-property line on the 3 parcels.

MR. TIECHE: It's not affecting any of the downstream property owners?

ZONING INSPECTOR: No, that goes back into the Villa Theresa area, it's all wetlands.

MR. NACARATO: That was going to be my next question. What is the affect downstream that this is going to have.

MR. PRESTON: Actually, with the (inaudible) that Villa Theresa has made it will actually help downstream, past your house.

MR. NACARATO: That's great because I don't want to be flooded.

MR. PRESTON: There is actually a retention basin that is actually routing it now.

PUBLIC WORKS SUPERINTENDENT: That's where it's coming out now.

MR. PRESTON: Exactly.

MR. MORVAY: Are there any grants that you know of, that we could apply for?

MR. PRESTON: Grants would be tough. A lot of times with grants, you have to show (inaudible) Sawmill Creek for instance the grant we got from FEMA, we had a lot of backup data that showed the impact from a couple of major storm events. Something like this, where it's backyard flooding, it's a lot harder. There may be an option but it would be a year from now, through OPWC for a zero percent loan. Grants are going to be tough to come by.

CHIEF OF POLICE: If there are any, similar to Overbrook, we're talking a year or two years.

MR. PRESTON: Yes, a multi-year process.

CHIEF OF POLICE: Overbrook is complete but it was 3 or 4 years.

MR. PRESTON: 3 or 4 years and Sawmill Creek is going on 5 or 6 at this point. Construction starting soon. Q

MR. MORVAY: Well, we have the information. We'll have to discuss it. I think we should do some preliminary planning. See if we can get the easements. See what we have to work with and then we'll go to work.

CHIEF OF POLICE: Thank you, Steve.

MR. MORVAY: Thanks, Steve.

Under **MINUTES**, the Minutes of the Regular Meeting on October 4, 2023 were approved as presented.

Under **READING OF COMMUNICATIONS:**

MR. TIECHE: I have none.

MR. DRAGISH: I have the Monthly Mayor's Report. The fines and other monies collected and received, total \$301.01.

MR. NACARATO: I have none.

MR. MORVAY: Mr. Neff, I think I passed you up.

MR. NEFF: I just had two more requests about what is going on with the City Manager.

CHIEF OF POLICE: We have one.

MR. NEFF: New City Manager.

MR. MORVAY: You're looking at him.

MR. MORVAY: I was supposed to bring something to the table tonight but I can't remember what it was. So, if it comes to me, I'll bring it up later. Other than that, I have no communications. John, you're going to talk about the leaf pick-up, it started.

MR. DRAGISH: I have one thing. Today, I was at the gas station on 224, Shell. I think it's a Shell.

MR. NACARATO: The new Shell?

MR. DRAGISH: No, Sunoco. I thought somebody purchased the building across the street, the old billiards place.

ZONING INSPECTOR: Yes, the old Canfield Collision and Livia Calais.

MR. DRAGISH: Right. Livia Calais building, I don't know if this just happened but there is glass, somebody smashed windows. They put like a piece of wood in there but there is glass all over the place.

ZONING INSPECTOR: I talked to the contractor Monday, he came in for an application for a demo permit, they're going to tear both of them down.

ZONING INSPECTOR: Who owns that. Tequila Jalisco owns it.

MR. DRAGISH: Yes, Manny.

ZONING INSPECTOR: They're coming into Design Review for approval.

MR. DRAGISH: Okay, I got you. Thanks Mike.

MR. MORVAY: Okay, our Public Works Supervisor Mr. John Rapp.

PUBLIC WORKS SUPERINTENDENT: The leaves started on Monday, October 16<sup>th</sup>, we do have help this year, B&B Landscape is taking part of the town and we have the other part. The contractor and our crew have made it though the town twice. If you had them out, they're picked up, unless you put them out last night or today. That will continue through December 8<sup>th</sup>. Hopefully, I can just keep one crew out there while we prep for the Christmas Trees and the lighting on the Green. We've had a lot of locates coming through. There are fiber lines that are being installed through the middle of town. I'm sure you've all seen the big reels and the conduit. We got out with them and ahead of them to locate all of our utilities. We got 4 different utilities to mark and then we're constantly with them because we don't want anything being drilled through our lines. Hopefully, in another week or so, we'll be past that.

Indian Lake waterline has finished up. All customers have been transferred over and today they were paving the cuts where they put the main line across the street. So, hopefully, within another week or so, we'll have restoration almost complete and the project finished.

We had one water break after our last meeting on N. Broad and we have one tonight that we're actually working on now on Montridge. We have the water reduced in pressure up there and hopefully we get that done in a couple of hours. I haven't got any word if they found it yet, but the water was really blowing out pretty good.

We had a crew out doing the annual hydrant flushing. We put something on the website because we had a couple of calls with some discoloration of water. That's very common because your directional flushing and trying to get that water moving, it picks up, the inside of

the pipe has that scale and it will make it cloudy. If you see that, it will just be temporary, just flush your lines out. That's all I have.

MR. MORVAY: Okay. Our Finance Director, Christine Clayton.

FINANCE DIRECTOR: I'll have the check register for September and the year-to-date cash basis fund summary uploaded to the website tomorrow. Kristin and I have been spending a lot of time on video meetings with Tyler Technologies; which is our new accounting software. We're getting the General Ledger and Purchasing set up and next week we're going to start on payroll. We're going to start mirroring our current software and making sure everything is working the way that we want it to.

The State Auditor's Office sent our Auditor of State Award for 2022.

MR. MORVAY: Congratulations.

FINANCE DIRECTOR: It's our 15<sup>th</sup> in a row.

MR. MORVAY: Great Job, Christine.

FINANCE DIRECTOR: Thank you.

MR. MORVAY: Patty is not here. Did she have a report Chief?

CHIEF OF POLICE: No.

MR. MORVAY: I'll go to our Zoning Inspector, Mike Cook.

ZONING INSPECTOR: You have 3 recommendations from Planning & Zoning on your desk. Two are for replats and one is for 1141 R/O District. It will go back to Planning & Zoning next month, again. 445 N. Broad, Mrs. Houk's house, they started construction, it's almost finished over there. We had 224 E. Main in for Mayor's Court the other night. She is going to button her roof up and get that siding in the next couple of months and get it buttoned up by the end of the year. For the month of October, we had 12 zoning permits issued for a total valuation of \$239,448.00. Steve Cocca is dropping plans off tomorrow for a new house on Pine Cone. There is one vacant lot left there.

MR. MORVAY: Great. Our Chief of Police and Acting City Manager, Chuck Colucci.

CHIEF OF POLICE: Going back to communication for the city manager, I'll piggyback off of John Rapp, the fiber optic line is getting laid down 46, N. Broad, S. Broad. They're working with this group close and so is Dom Rozzo our I.T. They complimented you and your crew.

PUBLIC WORKS SUPERINTENDENT: Good.

CHIEF OF POLICE: In all the communities that they've been through, they said this has been the easiest to work with. I appreciate your bedside manners. We'll talk a little more but this fiber line is getting dropped. It's something we've been working on a long time. I know it's a desire in this community. We'll have a little bit more information as I get more information. I have another meeting set up on Monday.

MR. TIECHE: Is this fiber line related to the fiber line that they hung on poles that went over to the school?

CHIEF OF POLICE: From Access?

MR. TIECHE: I don't know. I just know I was inquiring about what they were hanging up there and they said it was fiber. I saw it going to the school and they you starting talking about it.

CHIEF OF POLICE: They acquired it and it will be eventually underground.

MR. TIECHE: The one's going to the school are eventually going to be underground?

CHIEF OF POLICE: I believe that's the plan.

MR. TIECHE: They spent a lot of time hanging it up.

CHIEF OF POLICE: I'll have more for you on that.

MR. TIECHE: Okay. But the two of them are not related?

CHIEF OF POLICE: I think they are. I think we're talking about the same thing. I want to make sure I'm accurate. I just know that from this perspective of what's going on right now, things look really bright for the city and what we're going to be able to do from a technology standpoint from here on out. Time will tell. I'll get more out to Council and the community as soon as possible.

Paving has been going very well. I think we're all caught up, except for East Main. They were supposed to do East Main but they're waiting for a subcontractor who is able to do the saw cuts on the areas that need repair on East Main. That set up a little behind. Hopefully next week, they'll be out.

Trunk or Treat at the Green, the Odd Fellows will be putting that on. It is Saturday, October 28<sup>th</sup> from 12pm to 5pm. They're putting it on at the Green but I'm sure our police department will be down there helping them out. As we spoke, multiple times, our Trick-or-Treat is Tuesday, October 31<sup>st</sup> from 6:00pm to 8:00pm.

MR. MORVAY: Is that the times on the Trick or Treating?

CHIEF OF POLICE: I'm sorry.

MR. MORVAY: Was that the times on Trick-or-Treat? I thought it was 5:30.

CHIEF OF POLICE: Trick or Treat is 6:00pm to 8:00pm, this year.

MR. MORVAY: We passed that?

MR. TIECHE: Yes.

CHIEF OF POLICE: We've done 5:30-7:30pm. I prefer it but everybody else is doing 6-8. They want to make sure people have enough time to get home from work.

MR. DRAGISH: It's tough.

CHIEF OF POLICE: Trunk or Treat is Saturday, the 28<sup>th</sup> from 12-5 on the square. Then Trick or Treat is October 31<sup>st</sup> from 6 to 8.

Under Police, I have some stats for you. These are from January through September. So far, our officers have a total of 2,663 radar zones. The officers are required multiple times a shift to sit in an area, either where they're told or their proactive efforts. That's 2,663 radar zones. We've had 1,379, we all they cop sentry's; which is community oriented policing approach. We don't accept something like a waive to somebody or just say "Hi" to somebody. It's to be something more meaningful or impactful conversation. A problem-oriented policing, trying to determine if there are problems in a community, problems in the business districts. Residence checks, 8,900. Officers check houses that are on vacation or houses that are empty. Some people even inspect us through their home security cameras. I like it. It holds the cops accountable. So far this year, our officers initiated 2,575 traffic stops. We've issued 305 traffic citations, 157 Driving under suspension tickets, 37 OVI's, that number is down, it's a positive, I don't think it's a lack of effort, I think it's Uber contributing, total Number 97 drug arrests, they've taken 8 accident reports so far. I'll have a thorough end of the year report for you.

Also, I'd like to mention two of our new officers, Ellie Davidson and Alyssa Fillion graduated last week from Crisis Intervention Training (CIT). This is a county project and it's fully funded by the County. The emphasis is mental health awareness. It's really difficult for officers sometimes to distinguish if somebody is intoxicated, impaired, mental state. This is the 3<sup>rd</sup> class in a row where one of our officers have been asked to give the class presentation at the end of the course. I'm super proud of our people. They buy into it. They're not just going through the motions. Congrats to Ellie and Alyssa. They're our two new female officers, I'm sure you guys have seen them out.

City Manager Report, Agenda Item E, I'd like to discuss that real quick. We had identified one street in the city that was compromised completely and we felt like it needed repaired. We



gave Lindy, the company that had the bid on the project, a measurement of 130 feet at Colonial Drive and Janet Drive. We gave them the measurement 130 feet. The number to do that was \$30,000. After reviewing it, our engineer's looked at it and they highly suggested that we reach out another 140 feet for a total of 270 feet. We found out about this last Tuesday afternoon. We had to scramble and make a quick decision because they were going to be on Colonial paving Wednesday morning. Chris and I discussed it. John and I discussed it. We were well aware that it was going to take a change order. We were also well aware that it went over that \$50,000 threshold for a bid but it was already on bid, the job was. Nonetheless, the change order is out there. I made the decision to have them do it. It would have cost us substantially more money, if would have not have done it and in the spring, having to bring all that equipment back out here and having to get another 70-foot section done. To me, it was a common-sense decision. If you have any questions but that's what that Items is all about. A section of Colonial Drive and Janet that was severely compromised. We got it fixed. It looks pretty good. Hopefully, East Main turns out as nice.

MR. MORVAY: Was it something sub-surface that we saw afterwards?

PUBLIC WORKS SUPERINTENDENT: I would say yes. They didn't do full-depth repairs but they did spot full depth repairs. They took it down, 2 ½ ".

MR. MORVAY: I guess my question is, we recognized there was 130 feet and then we did an additional 70 feet. Why didn't we see that 70 feet as being deteriorated as well?

CHIEF OF POLICE: On the surface it wasn't as bad but when the engineer got in there and looked at it, it was on its way to fail, similar to the front half.

MR. MORVAY: Okay.

PUBLIC WORKS SUPERINTENDENT: When we initially went out and measured it we were looking at the aesthetics approach, the potholes. Then we got a call from the engineer on the job with Lindy and he said, you might want to rethink this thing and pick up this area as well, while you're here or it's going to cost more later on down the road. That is when we said, let's try to do it.

CHIEF OF POLICE: I think it was more of a conservative approach. They were confident that come spring after the winter that we'd be dealing with a mess. Close to the end of the year, we do salary ordinance. That's the next thing Chris and I will be working on. We have to make some changes. You'll be fully made aware of what the changes are when it's time to approve it. That's it.

MR. MORVAY: I don't suppose Mark had anything?

CHIEF OF POLICE: No. He relayed for Executive Session.

MR. MORVAY: Under communications, if you guys would remember to turn your evaluations in. I want to try to get that in Chief's file before the end of the year. Any questions about these reports that we've just heard? Hearing none. Residents any questions?

MR. TIECHE: I had a question. Where are we dumping the excess leaves?

PUBLIC WORKS SUPERINTENDENT: They're out at the Fairgrounds.

MR. TIECHE: Who is picking those up?

PUBLIC WORKS SUPERINTENDENT: CBS. They've been doing it for the past few years.

MR. TIECHE: They're in North Jackson but they got a place over in Boardman. Thank you.

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

PAT ACRI: Pat Acri, 268 Lisbon. The house was demolished next to mine. I was here in '18, tried to acquire the property. I had a bunch of rigmarole, it was bad, I did get ahold of the homeowner. Nobody else could do it, I thought I was Columbo pulling that one. It only took a \$20.00 bill out at the El Patio Motel and I got his phone number. The guy was in Pittsburgh. But anyway, to make a long story short, that all fell through. I was maintaining the property. I was cutting the grass there for years while that guy was gone. Then your guys came in and they were cutting it. Just a couple of days before it was demolished I was cutting a couple of strips, just to make it look better. I've since talked to the Land Bank because I heard the Land Bank now has ownership of the property. I talked to Gary Davenport over at the Land Bank and he told me they had ownership, nobody really wants to claim ownership, they said they might be turning the property back over to the city. They weren't sure what they were doing. I've heard you can't build anything on that because it's a very small piece of property. I am here to tell Council that I'm interested in acquiring the property, if you get it back. The day after I get it, we'll make it look a lot better. The house was a start. That's all I wanted to say. The Land Bank said whoever is adjacent to the property has first dibs. That's all.

MR. MORVAY: Duly noted. Thank you. Anybody else want to appear before Council? Frank nothing? You sure? Alright, stay there, Frank.

MR. NACARATO: Don't poke the bear, please.

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

Under **NEW BUSINESS:**

ITEM A: An Ordinance Approving the Replat of Canfield City Lot 6902, Creating City Lot 6908 on Lake Wobegon Drive by Stonebridge Land Corp.

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. DRAGISH: Second.

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

MR. TIECHE: Mr. President, I have an Ordinance Approving the Replat of Canfield City Lot 6902, Creating City Lot 6908 on Lake Wobegon Drive by Stonebridge Land Corp. I move for passage.

MR. NEFF: Second.

MR. MORVAY: Chief can you brief us on this replat, please.

CHIEF OF POLICE: Stonebridge Land Corp is replatting lot 6902 to create lot 6908 because they sold a lot to build a new home.

MR. MORVAY: Council questions? This went through zoning and it was approved?

ZONING INSPECTOR: Yes.

MR. MORVAY: Residents any questions? Hearing none.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes
	Ordinance 2023-40.

ITEM B: An Ordinance Approving the Replat Combining Lots 105 & 106, Creating City Lot 6909 at 33 Kirk Street by Jim Morocco.

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. NEFF: Mr. Chairman, I have an Ordinance Approving the Replat Combining Lots 105 & 106, Creating City Lot 6909 at 33 Kirk Street by Jim Morocco. I move for passage.

MR. NACARATO: Second.

MR. MORVAY: Chief, could you brief us on this Ordinance.

CHIEF OF POLICE: The homeowner at 33 Kirk wishes to replat his property. The back portion of his lot at 33 Kirk Street is a separate parcel. He would like to put a fence in the rear yard. Since you can't have a fence on a piece of property without a main structure, he wants to replat it into one parcel.

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

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes
	Ordinance 2023-41.

ITEM C: An Ordinance Amending Canfield Codified Ordinance Section 1141.11, R/O Residential Office District and Re-Titling Such Zoning Districts as Residential Office and Limited Commercial District.

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 Amending Canfield Codified Ordinance Section 1141.11, R/O Residential Office District and Re-Titling Such Zoning Districts as Residential Office and Limited Commercial District. This constitutes first reading.

MR. MORVAY: The hearing is set for November 15<sup>th</sup> @ 5:20pm.

ITEM D: An Ordinance Authorizing Contract Modification Number 2 with MS Consultants, Inc. for the Sawmill Creek Improvement 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. 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. NEFF: Second.

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

MR. NACARATO: I have an Ordinance Authorizing Contract Modification Number 2 with MS Consultants, Inc. for the Sawmill Creek Improvement Project. I move for passage.

MR. TIECHE: Second.

MR. MORVAY: Chief, can you give us a briefing on this modification.

CHIEF OF POLICE: This modification is for construction administration and resident inspection which was not included in the original agreement.

MR. MORVAY: Can you explain to us why it wasn't in the original agreement? Why we need this Ordinance passed?

FINANCE DIRECTOR: My guess would be that it was just so long ago when we started working on this project that they didn't know how much this part was going to be, until we got here.

MR. MORVAY: Okay. Steve left so he can't help us with that. Mr. Tieche would you know why we would be doing this now?

MR. TIECHE: I do not. What's the dollar amount?

FINANCE DIRECTOR: \$121,431.00.

MR. TIECHE: It sounds rather logical that Christine's comments would be appropriate.

ZONING INSPECTOR: It says, residential inspections were not included in the original agreement.

MR. TIECHE: Maybe we didn't even include that in the bid document.

MR. DRAGISH: Probably not.

FINANCE DIRECTOR: This project has just been going on for so long. I think we're on year 4.

ZONING INSPECTOR: She has it on the online version. It says the modifications for the Construction, Administration and Resident Inspection was not included in the original agreement.

MR. TIECHE: It seems to me that we would be wise to do this now, rather than go back and try to start this project all over again.

MR. MORVAY: Yes, right. Residents, questions or concerns? Hearing none.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes

Ordinance 2023-42.

ITEM E: An Ordinance Authorizing Change Order Number 1 for Lindy Paving, Inc. and to Declare said Ordinance an Emergency. (2023 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. 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. TIECHE: Mr. President, I have an Ordinance Authorizing Change Order Number 1 for Lindy Paving, Inc. and to Declare said Ordinance an Emergency. (2023 Road Resurfacing Project). I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: We discussed this early, did we not Chief.

CHIEF OF POLICE: Correct. Again, it's the 20ft by 130ft area that was paved.

FINANCE DIRECTOR: No, 270.

MR. MORVAY: There was an additional 78 feet.

MR. TIECHE: I have a question or maybe a comment more than anything else. I appreciate the effort that Chief put in to doing this. I think it might have been advisable to even get on the phone to a couple members of council and update them. I sounds like no member of council knew about that and you just made the decision. Again, not a bad decision, but looking back at the fact, I suggest you make contact with a couple members of council.

CHIEF OF POLICE: I respect that.



MR. MORVAY: Residents, questions or concerns? Hearing none.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2023-43.

ITEM F: A Motion Authorizing the City Manager to Enter Into An Agreement on Behalf of the City of Canfield with the Board of Education Regarding the Allocation of Costs Related to the Provision of A School Resource Officer.

MR. MORVAY: As per the provisions of Section 4.05 of the Charter of the City of Canfield, I move that Council dispense with the requirement of a full reading of the proposed Motion and authorize reading by title only.

MR. NACARATO: Second.

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

MR. NEFF: Mr. Chairman, I have a Motion Authorizing the City Manager to Enter Into An Agreement on Behalf of the City of Canfield with the Board of Education Regarding the Allocation of Costs Related to the Provision of A School Resource Officer. I move for passage.

MR. DRAGISH: Second.

MR. MORVAY: Chief can you just brief us on this please. I know we talked about this but if anybody has a concern.

CHIEF OF POLICE: These were the two agreement between the school and the city to have 2 school resource officers at the high school and middle school and one at elementary school.

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

MR. MICCHIA: Good evening, Frank Micchia, 220 Glenview. When I read the details of this document, I saw the high school resource officer and the middle school officer included. I did not see the third officer at the elementary school, in the details.

FINANCE DIRECTOR: That was already passed.

CHIEF OF POLICE: It was passed. It was separate. We already passed that ordinance.

MR. MICCHIA: That's under a separate agreement. So, all 3 of them are accounted for and there are 2 at MCCTC. Right now, we have 5 resource officers in the school system.

CHIEF OF POLICE: Yes.

MR. MICCHIA: Just a reminder that 3 months of these 5 people is paid for by city. There are 15 months paid for by the city, whether they're in the school systems are not in session. Is that correct?

CHIEF OF POLICE: Yes, 3 months.

MR. MICCHIA: And the total cost is well over \$100,000 a year.

CHIEF OF POLICE: It sounds accurate.

MR. MICCHIA: Just to be clear, I'm in favor of school resource officers. I'm not in favor of us footing the bill. I think the school systems like MCCTC, should be paying more of those officers.

CHIEF OF POLICE: We did file 2 federal grants to try and get funding. I've also asked Canfield Township to help us out and they declined. But I'm not done. I'm still working on that. If we ever get in that situation where we need more money to survive, laying people off, you can come with me to the school and we'll fight that fight together.

MR. MICCHIA: You got it.

CHIEF OF POLICE: Right now, we're able to utilize it as the cost of doing business and keeping those kids and staff safe. I'm disappointed in the township. I want them to contribute.

MR. MICCHIA: I believe they're paying ½ of the high school resource officer.

CHIEF OF POLICE: Yes.

MR. MICCHIA: They're part way there but they're not paying anything for the.....

CHIEF OF POLICE: They're paying \$35,000 compared to the \$338,000 that it costs us.

MR. MICCHIA: That's a good deal.

CHIEF OF POLICE: It sure it.

MR. MICCHIA: Alright, you have to keep after them.

CHIEF OF POLICE: We will.

MR. MORVAY: Anybody else? Hearing none.

ROLL CALL ON MOTION:

5 Votes-Yes  
0 Votes-No  
Motion passes.  
Motion 2023-21.

MR. MORVAY: We will be going into Executive Session. I'll have Mr. Neff get us there. When we come out we will not be taking any action. If you want to stick around, that's fine. If not, that's fine too.

CHIEF OF POLICE: I did hear back from Steve Preston and Christine was spot on. This is from Steve. When we initially went after the grant money years ago from FEMA we didn't include it to make sure our benefit cost analysis would be in good shape. Similar to what we had to deal with on the Overbrook Project. It was FEMA Funded.

MR., MORVAY: Good. Thank you.

MR. NEFF: Mr. President, I'd like to make a Motion to adjourn into Executive Session pursuant to ORC Section 121.22 (g) (1) to consider the employment and compensation of a public employee and appointment of a public official. I move for passage.

MR. TIECHE: Second.

ROLL CALL ON MOTION:

5 Votes-Yes  
0 Votes-No  
Motion passes.

ZONING INSPECTOR: Time is 6:20pm.

Council reconvened from Executive Session at 7:49PM.

MR. NEFF made a motion to adjourn.

MR. TIECHE seconded the motion.

Council was adjourned at 7:50 PM.

\_\_\_\_\_  
PRESIDENT OF COUNCIL

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL