

AGENDA

CANFIELD CITY COUNCIL

March 6, 2024-5:30 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 resubmitted a petition 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): Map

Public Comments

- B. A **Resolution** Designating Services Available to Lands 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):

Public Comments.

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 _____, 2024

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: _____

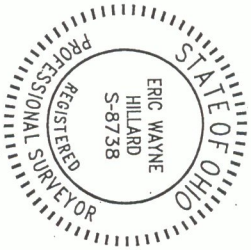
CLERK OF COUNCIL

APPROVED TO FORM:

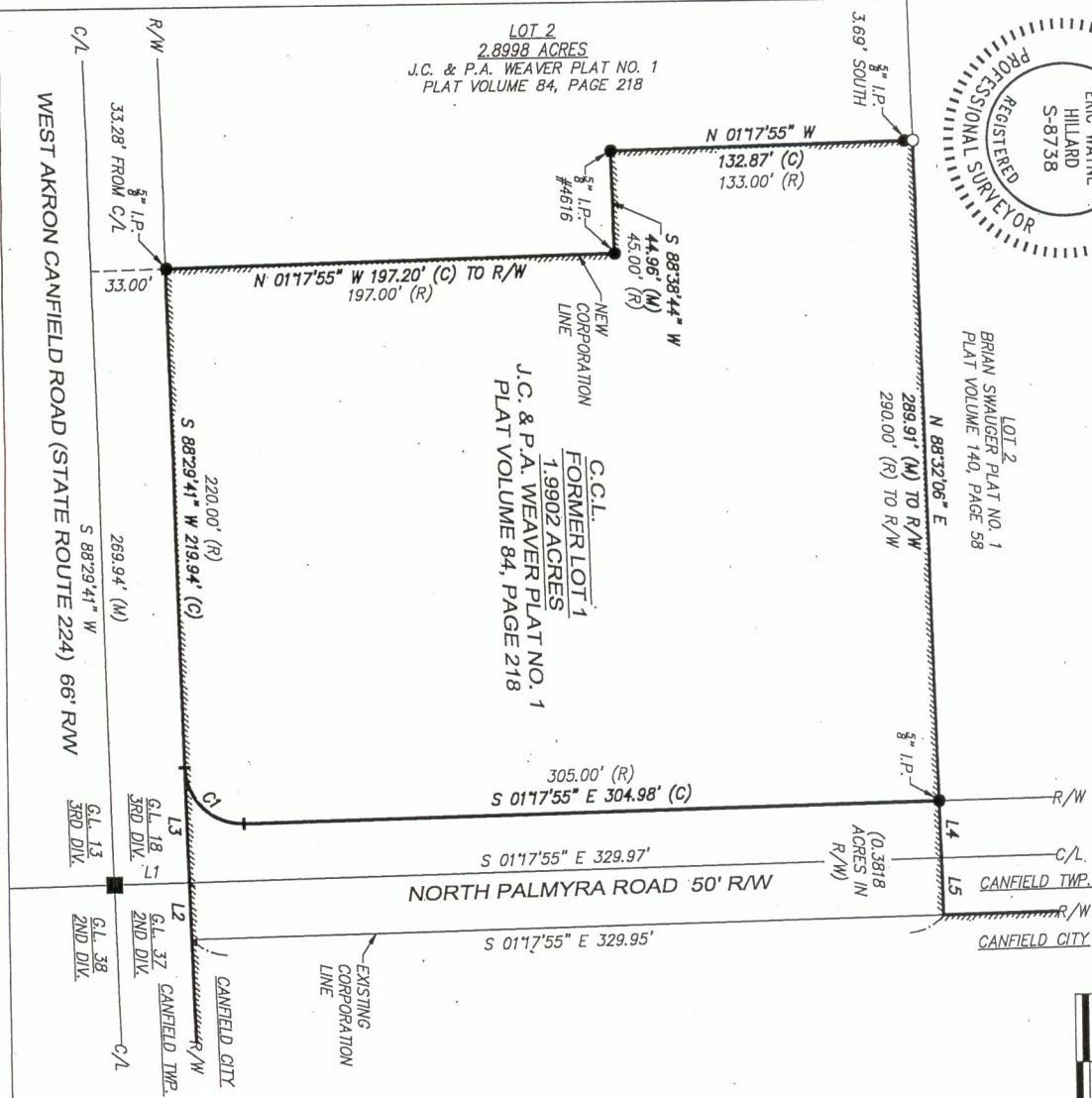
MUNICIPAL ATTORNEY

ANNEXATION TO THE CITY OF CANFIELD LOT 1 - J.C. & P.A. WEAVER PLAT NO. 1 - PLAT VOLUME 84, PAGE 218 AND PART OF NORTH PALMYRA ROAD PART OF GREAT LOT 18 - 3RD DIVISION CANFIELD TOWNSHIP, MAHONING COUNTY, OHIO

NOTE: SURVEY DATE 4/4/2023



LOT 2
 BRIAN SWALGER PLAT NO. 1
 PLAT VOLUME 140, PAGE 58



SCALE: 1"=60'
 0' 30' 60'

NORTH BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, GROUND COORDINATES.

OWNER: JUANITA A. SHERBA, TRUSTEE
 PAUL E. SHERBA, TRUSTEE

ADDRESS: 7320 AKRON CANFIELD ROAD
 CANFIELD, OHIO 44406

PARCEL: 26-011-0-014-00-0

DEED: O.R. 5450, PAGE 1084

SYMBOL LEGEND

LINE	DIRECTION	LENGTH
L1	N 01°17'55" W	33.00'
L2	S 88°29'41" W	23.00'
L3	S 88°29'41" W	50.00'
L4	N 88°32'06" E	23.00'
L5	N 88°32'06" E	23.00'

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	39.32'	25.09'	89°47'36"	25.00'	S 43°35'53" W	35.42'



EGH LAND SURVEYING, LLC
 ERIC@EGHLANDSURVEYING.COM

8200 W. WESTERN
 RESERVE ROAD
 CANFIELD, OH 44406
 (330) 261-0311

CERTIFICATION:
 I DO CERTIFY THAT I HAVE SURVEYED THE AREA SHOWN ON THE MAP OF THE AREA TO BE ANNEXED AND PREPARED THE MAP SHOWN HEREON, THAT SAID MAP IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT ALL CORNER MONUMENTS AS SHOWN ARE IN PLACE.

OWNERS: JUANITA A. SHERBA, TRUSTEE OWNERS: PAUL E. SHERBA, TRUSTEE

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY APPEARED THE ABOVE SIGNED PERSON(S) WHO ACKNOWLEDGE THAT THEY ARE (HE OR SHE IS) THE OWNER(S) OF THE LAND SHOWN ON THE ACCOMPANYING ANNEXATION MAP TO THE CITY OF CANFIELD AS SHOWN, AND THAT THE SIGNING OF THE ABOVE CERTIFICATE IS THEIR (HIS OR HER) OWN FREE ACT AND DEED.

AS WITNESS HEREOF AND HAVE HERETO SET MY HANDS AND AFFIXED MY OFFICIAL SEAL THIS _____ DAY OF _____ 20__

APPROVED BY THE MAHONING COUNTY PLANNING COMMISSION THIS _____ DAY OF _____ 20__

ATTEST: _____ NOTARY PUBLIC

CHAIRMAN _____ VICE CHAIRMAN _____

COMMISSIONER _____ CLERK _____

MAYOR _____ CLERK OF COUNCIL _____

ENTERED FOR TRANSFER THIS _____ DAY OF _____ 20__

RESOLUTION No. _____ PASSED THIS _____ DAY OF _____ 20__

MAHONING COUNTY AUDITOR _____

RECEIVED FOR RECORD ON THE _____ DAY OF _____ 20__ AT _____ O'CLOCK.

RECORDED IN VOLUME _____ PAGE _____ OF THE MAHONING COUNTY RECORD OF PLATS.

ON THE _____ DAY OF _____ 20__ MAHONING COUNTY RECORDER _____

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 _____, 2024.

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

MINUTES

CANFIELD CITY COUNCIL
REGULAR MEETING
FEBRUARY 21, 2024-5:30 P.M.

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

Absent: Mr. Tieche.

Staff present: Charles Colucci, Chief of Police, Christine Stack-Clayton, Finance Director; Jodi Flinn, Zoning Inspector and John Rapp, Public Works Superintendent.

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

Under **APPROVAL OF MINUTES**, the Minutes of the Regular Meeting on February 7, 2024 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MR. NEFF: I have none.

MR. DRAGISH: I have none.

MR. GRAHAM: I have none.

MR. D'APOLITO: I want to make the citizens aware that they will be receiving a letter soon from Energy Harbor on behalf of Buckeye Energy in regards to the city's electric aggregation program. It's required by the PUCO to be delivered every 3 years, we're in the 3rd year of a 4-year contract. The letter provides opt out provisions.

MRS. OLIVER: Thank you. Since you brought that up, I'd like to make everybody aware of our gas aggregation. We had a resident bring it to my attention about the amount of money they were paying for our gas service. Not my current bill but the previous bill was almost \$500.00. I looked at how much we were paying which was about .75 cents. I called directly and took myself off of that choice program and my new bill was under \$250.00. I wanted to let people know that, so they can check out their bills, in case there is some money they can be saving.

MR. D'APOLITO: In regards to that, I have met with the gentleman from Buckeye Energy. When we signed the contract, it was signed some years ago, if we wanted to opt-out, we'd have to pay more to even get out. I don't know if it's worth it. We only have one year left.

MRS. OLIVER: I had to call directly to the gas company to change my program. The only communications that I've received are from the people from Laurel Hills. After our last meeting, they were thanking us for being heard. I just wanted to let everyone know that we appreciated them coming out. I understand that we have some people this evening from there as well.

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

MR. NEFF: I have no report. I'll let the zoning inspector talk about our meeting. Thank you.

MR. GRAHAM: No report. We've had no meeting since our last meeting.

MRS. OLIVER: I'm on the fire Board and our next meeting isn't until next Monday. I don't have any updates.

MR. DRAGISH: I have the Mayor's Monthly Statement to Council. Monies received and paid out to who they need to be paid out to, the net collections to the city is \$966.01.

MRS. OLIVER: Let's move on to our Public Works Supervisor, Mr. John Rapp.

PUBLIC WORKS SUPERINTENDENT: Crews repaired a water break today on Sleepy Hollow. They continue with the water meter change-out. Another crew is doing the sanitary line maintenance and cleaning. An update on Yarian's with the Sawmill Project. They're taking of this weather, they're moving along really well. That should be good for the timeline and get finished up pretty quick. The gas company started replacing sidewalks on Briarcliff. Yarian will follow them with anything they have to restore, street, driveways, will follow. Just a reminder, the stick and limb pick-up begins April 1st. Quadrant 1 will be for the first week. Quadrant 2 will be the week of April 8th. Quadrant 3 will be the April 15th and Quadrant 4 will be April 22nd. This will be posted on the website, very soon. We'll have a list of the streets and quadrants and where you fall in that rotation. If you put them out the first week, they'll be around soon enough to get you. You can get out ahead of it. That's all I have.

MRS. OLIVER: Our Finance Director, Christine Clayton.

FINANCE DIRECTOR: I filed the Canfield Community JEDD and the Millennial Moments JEDD financial statements with the Ohio State Auditor's Office. I still need to do the Community Corp financial statements. All of those are required by the end of this month. I also need to do a report for the DEA on the forfeiture money that we've received and spent for 2023 by the end of the month. There is also a health insurance survey for SERB that need done by the end of the month. Then I'll also be starting to work on the budget for next month.

MRS. OLIVER: Thank you. Our Zoning Inspector Mrs. Flinn.

ZONING INSPECTOR: What happened at our last Planning & Zoning Meeting, there was a recommendation to Council to rezone the first 1526 square feet of 445 W. Main. The rezone would be from M-1 to B-2. They have a tenant that would like to bring in a skin spa. A public hearing is set for March 20th. For the zoning, as far, for the month of February we've had 7 permits for a total valuation of \$97,700.00. Year to date, there are 11 permits that have been issued for a total valuation of \$126,074.00.

MRS. OLIVER: Thank you. Patty do you have anything?

CLERK: Just a reminder, any individuals that have decorations at the Canfield Cemeteries, that they might want to preserve, have them removed by March 15th. After that, Public Works will dispose of them. It's preparation for grass cutting.

MRS. OLIVER: Thank you. Our Police Chief, Chuck Colucci.

CHIEF OF POLICE: Good evening. Police Department training, we started our 2024 annual training. We do in-house training, in-service training, locally here at the PD, throughout the year. We always start in February. Yesterday we participated at Mercy Health in defensive tactics training. We also do external training. We send our officers out and about, throughout the year. So, yesterday started our in-service training. We'll do 10 throughout the year, 10 in-service trainings. Some of that goes towards our CPT Training that we're required to commit by the State. Training that we've always been in compliance with. Also, weather is odd this time of year so, sun, it's beautiful today. Our SRO's are doing it, we're doing it, as parents, as members of the community, we need to do the same. We recently had a report of a juvenile passing cars on Herbert Road. We had a bad crash yesterday on Shadydale. It was a head-on crash due to distracted driving. Do your part, we'll do our part, it's not all about tickets and fines, but educating them on the dangers that are involved. Do your best to make sure that the word is out there that we're going to be out and about. I know, once the nice weather turns up, speed usually increases and distracted driving increases, so we'll be out looking for that. I'm working on budget for 2024 items. (Dispatch call) That's our dispatch (Laughter). I want to thank them, they do an amazing job. This community is blessed to have them. I'll look for keeping them forever. Thank you.

MRS. OLIVER: We're also blessed with our police department as well. Our City Manager, Mr. David D'Apolito.

MR. D'APOLITO: In addition to what I explained about the Energy Harbor letter coming, I want to let Council be aware that we did hold budget hearings last week. It's my first time participating at the City. Some spirited discussion took place. We will be presenting the budget to Council at the March 6th meeting. Another thing, Public Works, they did a quick fix today on this water leak. They discovered it as they were going to another job, they saw some water coming up from the ground. I've been really impressed with them. They discovered it and within a couple of hours, they had it completely repaired. I love that they take the initiative. They should be recognized for that.

MRS. OLIVER: Thank you. Our City Attorney, Counselor.

ATTY. FORTUNATO: No report. I'll reserve my report for executive session.

MRS. OLIVER: Council any questions on the reports? Hearing none.

Under **Public Questions on Reports**, there were none.

Under **Recognition of Persons Desiring to Appear Before Council**:

MRS. OLIVER: Is there anybody that desires to speak before council that is not on the list. Hearing none, we'll move on.

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

Under **NEW BUSINESS**:

ITEM A: An Ordinance Declaring Surplus Property and Authorizing its Disposal.

MRS. OLIVER: 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:	4 Votes-Yes
	0 Votes-No
	Motion passes.

MRS. OLIVER: 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:	4 Votes-Yes
	0 Votes-No
	Motion passes.

MR. NEFF: Madam Chairperson, I have an Ordinance Declaring Surplus Property and Authorizing its Disposal. I move for passage.

MR. GRAHAM: Second.

MRS. OLIVER: Does someone want to further elaborate on this? I know we passed this on the last agenda.

ATTY. FORTUNATO: When something is declared obsolete and surplus, the city can dispose of it in any way that it wants to. This is to create a record of how we're disposing of this and create a record on the other end, whoever ends up with it. This is really a matter of creating a record that we've declared it surplus and we've authorized the city manager to dispose of it.

MRS. OLIVER: Thank you. Any questions from Council?

MR. NEFF: Are we going to put it out to bid on eBay? I had somebody call and ask me about it. I said, I don't know anything about it.

MR. D'APOLITO: What I expect to do is put it on our own website. I think the interest would be limited to city residents. Rather than incurring costs that you may have on eBay. Not that I think it's of any value, financially but I think it is sentimentally to a lot of local residents. In the spirit of transparency, having everything out in the open, and having an opportunity to bid on it, I thought that we would do it on our website. Any interested people would be able to make a bid.

MR. NEFF: Perfect.

MRS. OLIVER: Thank you. I do know that a resident has been inquiring about the clock for sentimental purposes and went to the Junior Women's League because they said they did not want the clock back. They said this person would gladly

MR. D'APOLITO: I've had expressed interest as well. That's why I thought in all fairness that it be presented to the city residents or anybody that might have an interest in it.

MRS. OLIVER: Thank you. Patty.

ROLL CALL ON ORDINANCE:

4 Votes-Yes

0 Votes-No

Ordinance passes

Ordinance 2024-05.

ITEM B: A Motion Changing the Date of City Council Meeting from June 19, 2024 at 5:30 P.M. to June 26, 2024 at 5:30 P.M.

MRS. OLIVER: 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. DRAGISH: Second.

ROLL CALL ON MOTION:

4 Votes-Yes

0 Votes-No

Motion passes.

MR. DRAGISH: Madam President, I have a Motion Changing the Date of City Council Meeting from June 19, 2024 at 5:30 P.M. to June 26, 2024 at 5:30 P.M. I move for passage.

MRS. OLIVER: Can I have a second.

MR. GRAHAM: Second.

MRS. OLIVER: Any comments?

MR. D'APOLITO: Everyone is aware that June 19th is Juneteenth a National Holiday. All Government Offices are closed on that day. In order to respect the holiday in the spirit of what it represents, we should not hold a meeting on that night.

MRS. OLIVER: Thank you. Any comments? Hearing none.

ROLL CALL ON MOTION:

4 Votes-Yes

0 Votes-No

Motion passes.

Motion 2024-03.

Under **COUNCIL COMMENTS:**

MR. NEFF: I have none.

MR. GRAHAM: I have none.

MR. DRAGISH: I have none.

MRS. OLIVER: I thank everyone for coning out. It's nice to see everyone. I thought someone was speaking. We are not going to be taking any action this evening. Would you get us into Executive Session?

MR. GRAHAM: Madam President, I'd like to propose a Motion to adjourn into executive session pursuant to Ohio Revised Code 121.22 (g) (1) to consider the appointment, dismissal, promotion or demotion of a public official.

MR. DRAGISH: Second.

ROLL CALL ON MOTION:

4 Votes-Yes
0 Votes-No
Motion passes.

CLERK: The time is 5:47pm.

Council convened into Executive Session at 5:47 P.M.

Council reconvened from Executive Session at 6:40 P.M.

Mr. Dragish made a motion to adjourn.

Mr. Graham seconded the motion.

The meeting was adjourned at 6:41 P.M.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

