

AGENDA

CANFIELD CITY COUNCIL

REGULAR MEETING

September 17, 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.
12. Council Comments.
13. Adjournment

MINUTES
CANFIELD CITY COUNCIL
REGULAR MEETING
SEPTEMBER 4, 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, Mrs. Oliver and Mr. Tieche.

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

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

Under **MINUTES**, the Minutes of the Regular Meeting on August 14, 2024 were approved as presented.

Under **READING OF COMMUNICATIONS**:

MRS. OLIVER: Do we have any reading of communications? Hearing none.

MRS. OLIVER: Atty. Fortunato, where can I make the motion for our next meeting?

ATTY. FORTUNATO: Why don't you make it after we finish Item D. You're talking about the motion to move the next meeting?

MRS. OLIVER: Yes.

ATTY. FORTUNATO: At that point in time, I can explain the statutory (inaudible) for us to do that.

MRS. OLIVER: Okay, thank you.

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

MR. TIECHE: I have nothing to report this evening. The Parks Board did not have a quorum, so we will not be meeting until next month.

MR. NEFF: We did not have a meeting. I have nothing to report tonight.

MR. DRAGISH: I have nothing.

MR. GRAHAM: The Design Review/Historical Preservation Committee met last evening. We approved the demolition of a single car garage on 31 Hilltop Blvd and construction of a new garage. It was approved unanimously.

MRS. OLIVER: Thank you. For the Fire Board at the last meeting, I did not have the information for the transports at that time.

ATTY FORTUNATO: When is the next fire board meeting? Is it the 4th Monday?

MRS. OLIVER: It is the 4th Monday, so we just had our meeting and that's when we received what we did for transporting.

ATTY. FORTUNATO: September 23rd.

MRS. OLIVER: Yes. We gave 6 mutual aid in the August 2024 report for July, we gave 6 mutual aid and we received 2. That was what we were missing from the last meeting. I wanted to make sure that you were all aware of it.

MR. NEFF: That was for August?

MRS. OLIVER: That's for July.

MR. NEFF: I have a question for Mark on Design Review. If I'm not mistaken, was there a color scheme that was approved for the new car wash, is that right?

MR. GRAHAM: We would not be approving colors.

MRS. OLIVER: We're not allowed to do colors on Design Review.

ATTY. FORTUNATO: The design and general aesthetics but not color.

MR. NEFF: The reason why I asked is, I've been asked by several citizens what was the color when they saw the red. I know that most car washes are as strikingly colorful as possible. I was hoping that there was a less.....

MRS. OLIVER: When I was on Design Review, I know we were not allowed to do colors.

ATTY. FORTUNATO: You can make suggestions and talk about it but to insist or ban a particular color it's not allowed.

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

PUBLIC WORKS SUPERINTENDENT: Good evening. The Hilltop water tank rehab is continuing. We made it through the entire Fair with no issues. We did have a water break on Friday night, crews repaired that and we finished up about 1:00am.

We will have Leak Seekers coming out for leak detection; we do that every 5 years. Anything that we don't see above ground, they can listen, they get on fire hydrant, curb boxes and valves. They found a few of them. One of them right now we're working to locate. It's on Kirk Street it is going into the storm and sewer there. We're going to be out there tomorrow. They did find something, it's going to be significant, I think, once we get down to it but right now we can't see it, it's traveling into storm sewers. They did the whole town, we fixed 3 fire hydrants. We should be pretty good to go. They actually said for a town our size, we're in really good shape.

Fire hydrant flushing will begin sometime this week, as soon as we get caught up with some other project.

MR. D'APOLITO: Excuse me. Remind Council how often we do that.

PUBLIC WORKS SUPERINTENDENT: Every 5 years. The last time we did it was 2019 and now 2024. The EPA comes in for our sanitary survey in the fall and they check up on us to make sure we're following through with that leak detection service. The fire hydrant flushing will commence sometime this week.

We were recently working on the leaf vacs, getting those maintenance, some repairs made to those. Some of the leaf boxes were taken to get powder coated. They were rusting, so we had them repaired and painted. Leaf season will begin October 14th. That's all I have for today.

MR. TIECHE: May I make a comment. For John and his guys, the water break at the corner of S. Broad and Fairground Blvd, you guys got right on it, repaired, patched and nobody knew anything was going on, unless they were there at the time. Good job!

PUBLIC WORKS SUPERINTENDENT: Perfect timing on that one. Vernal was in town doing our resurfacing. Hats off to them. They came up and repaired that for us.

MR. TIECHE: Good job!

PUBLIC WORKS SUPERINTENDENT: Thanks.

MRS. OLIVER: Moving on to our Finance Director, Mrs. Clayton.

FINANCE DIRECTOR: The 2023 Audit was released on Thursday, August 29th. Jen our East Regional Liaison from the State Auditor's Office brought me the award for 2023. (applause). We also received 4 Stars, the state ranks for achievement in open and transparent government of how quickly you answer any public records requests. We have to document when we got the

request and when we sent out the information to whoever asked for it. We also got 4 Stars for that. Patty and Lynda take care of most of the public records requests. On the agenda tonight, there is a Resolution to accept the amounts and rates for real estate tax collection for calendar year 2025. I still have it going the same way that we have for the last several years; one mill going to the general fund and two mills going to the Street CM&R Fund. Also, there is a Resolution for assessments for the street lights that we have to give to the Mahoning County Auditor to put on tax bills next year. That's all I have.

MRS. OLIVER: Thank you. Our City Clerk, Mrs. Bernat.

CLERK: At the next council meeting you'll have on your agenda the update to the codified ordinances that we pass every year. This update includes the changes that council has made as well as changes from the state. If you'd like your green codified ordinance book updated, please get it to me and I will update it for you. Family Fun Night is September 19th from 5:00-8:30pm. That's all I have.

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

CHIEF OF POLICE: Thank you. I don't have much to report. I just want to talk about the Fair real quick. The 2024 Canfield Fair from a security standpoint, very good. Nothing extreme to report. I wanted to thank the Sheriff's Department, the Fair Police and the Highway Patrol. The Fair is outside of our jurisdiction, the Sheriff's Department did an amazing job of presence, they had a lot of deputy's walking around. They had a drone flying. They did an awesome job. They caught the kid at the Grandstand with the gun. Jerry Greene did an amazing job. They stepped it up this year and it was obvious. From our end, the Canfield Police Department from the beginning of the Fair to the end, we had a total of 96 traffic stops, we issued 12 citations, 71 warnings, 3 arrests, including one gun seize. Tuesday night, before the Fair started, a fair worker was at the Shell Station, the former BP Station and they stole a purse out of BP that contained a lot of money. We had a good description of the vehicle, we had some camera footage from Shell. The Sheriff's Department flew their drone in the parking lot and found the suspects vehicle and our detectives were at the Fairgrounds on Wednesday morning and made the arrest. We got about 90% of the money back, purse back, the phone back and the subject was put in jail. Good job, team effort, the Sheriff's Department and our department.

MR. NEFF: Was that a Canfield resident? Are you allowed to say?

CHIEF OF POLICE: He was from Texas, he was working at the Fair. He's from Texas. The message got sent loud and clear that he stole a purse and got put in jail with no bond. So, he sat in jail for the whole fair.

MR. NEFF: I mean the victim. Was the victim a Canfield resident?

CHIEF OF POLICE: The victim is a business owner.

MR. NEFF: Oh, good job.

MRS. OLIVER: Thank you. The most excitement at the Fair that I know was when I discovered they were charging \$2.00 to use the machines to buy a wrist band. Even if you use cash you had to pay the \$2.00 and they wouldn't sell you the wrist band, you had to use the machine. It ended up getting in the news. A lot of people were disappointed by that. That's all I know that was negative about the Fair but everything else sounded wonderful and everybody did a great job. Let's move on to our City Manager, Mr. D'Apolito.

MR. D'APOLITO: Last night, we had a major sewer backup on Herbert Road near the Laurel Hills area. Several homes were impacted by it. Our Public Works Department, I was out there observing only and meeting with the residents. They handled it so well. I just want to recognize them, they do a great job.

Also, Mrs. Clayton, congratulations again on your fine job. The State Auditor's stopped in my office and told me personally what a great job she has done. In addition to her certificate, I got some personal information about the great work she does. I just want to congratulate her as well.

In other news, the Pink-Out Pickleball Tournament is on for September 28th at Greasel Park, that benefits Salem Regional Hospital Breast Cancer Awareness. I mentioned it at the last meeting.

Finally, I just wanted to make Council aware that a township resident that resides on Palmyra Road has reached out to the city and this family has a failing well system and they would like to connect to the city for water. We thought it would be an annexation situation potentially but upon further review of the Millennial JEDD Agreement, after a regulatory agency has ordered abandonment of their well, they may connect to the water line without being required to consent to annexation subject to applicable permits and fees, including but not limited to extra-territorial user fees.

ATTY. FORTUNATO: There is a cap on that.

MR. D'APOLITO: There is a cap of 20% for residents on Pheasant Run. But this gentleman and his family reside on Palmyra. It looks like we're going to have a situation where a township resident will tap in to the waterline without an annexation.

ATTY. FORTUNATO: That was part of the negotiation on the JEDD.

MR. D'APOLITO: That's all for my report.

MRS. OLIVER: How many days?

MR. D'APOLITO: I lost track. Mr. Tieche has been giving me updates.

MR. TIECHE: I didn't bring my current list.

MR. D'APOLITO: We're right around 244.

MRS. OLIVER: Time flies when you're having fun. Atty. Fortunato:

ATTY. FORTUNATO: Nothing much to report. I know at the last council meeting, I don't know your name, I apologize.

CARRIE MORROW: Carrie.

ATTY. FORTUNATO: She was here at Council talking about low speed vehicle ordinances. I'm back and I just starting looking at this but before I start to draft an Ordinance, is that something council is interested in passing?

MRS. OLIVER: You mean allowing golf carts?

ATTY. FORTUNATO: The Ohio Revised Code allows it.

MRS. OLIVER: I don't have an issue with it, if there are certain parameters around it; like where they are and who is operating them.

ATTY. FORTUNATO: There are a lot of parameters in the Ohio Revised Code. I looked at Ordinances like Upper Arlington, Mentor, Beaver Heights, New Albany, so I don't think it would take much to get it together but before I did, I just wanted to make sure that it was something that you were interested in pursuing. I'm not asking for a vote. I'm just taking your temperature.

MRS. OLIVER: We're open to that.

CHIEF COLUCCI: I have to correct myself, I advised council there were only two cities in the state, there is one in the county and there are several in the state. I meant the county. I apologize.

ATTY. FORTUNATO: I'll start working on putting an ordinance together.

MR. GRAHAM: The question that I have, to that point, in looking at that, maybe just as a thought, would the city have any oversight? I know if they were, these slower-moving golf carts, the city could also ask for oversight on that?

ATTY. FORTUNATO: Oh, we would have oversight on that. We'll have our own ordinance. We'll have our own registration requirements.

MR. GRAHAM: And permitting?

ATTY. FORTUNATO: Absolutely. Ohio Revised Code provides that they're allowed on any street under 35 MPH. Some of the cities that I've looked at have limited it to 25 MPH. We can certainly do that, pursuant to our Charter Rights, Home Rule Rights. Look for something in the next month or so.

MRS. OLIVER: I like the idea of 25 MPH but I understand if they have to cross over 46, just crossing.

ATTY. FORTUNATO: The crossover doesn't count. A 25-35 MPH street, crossing over a 45 MPH street, as long as you stay in your street, then you're fine. I talked to the Chief briefly about it. I don't think the PD has a problem with it. I don't want to speak for the PD. I'll put something together. I think you skipped our zoning inspector.

MRS. OLIVER: I apologize. Our Zoning Inspector, Mrs. Flinn.

ZONING INSPECTOR: Thank you, Mrs. Oliver. Our next Planning & Zoning meeting will be next Thursday, that's the 12th. We will have a public hearing and it will start at 5:10. For the month of August, we issued 9 garage sale permits and 18 zoning permits totaling, \$771,000 in valuation. One of those permits was a new home on Lake Wobegon. That brings our permits for this year to 133 with a total valuation of \$6,212,000. We have another application for a new house, the second house at Villa Theresa. Thank you.

MRS. OLIVER: Again, I apologize.

Under **QUESTIONS** on Reports, there were none.

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

CARRIE MORROW: Carrie Morrow, 106 Alabaster, Canfield, Ohio. I attended the last meeting and was inquiring about the low speed vehicles that I was wanting to have approved. I do have a street legal one. I was informed to go ahead and get an ordinance prepared and I did and submitted it to everybody. I thought we had enough time to look at it and I thought we were voting on it tonight. The last meeting, we were at, we sat here and heard a couple of the other issues that you said were emailed to everybody that day and they had enough time to review it and they were voted on that evening. So, obviously, there was a miscommunication of some sort because I understood I got this done and submitted it and you'd have time to review it and you would be speaking on this evening. It's not like I just pulled these out of my backside. I talked to the Police Chief, Chuck Colucci and he did give me the Sebring Ordinance and it's very similar to that one. The only thing that I disagree with because I am not wanting necessarily to approve for anybody on a golf cart. It is not a golf cart, a low-speed vehicle is street legal. It has seat belts, horn, turn signals, a vin #, it's plated, I pay insurance. If somebody hits me and totals

mine or hits me and causes bodily damage or I would hit somebody you have insurance to pay for that. It's not for anybody just to get on and cruise around and it is street legal 35MPH or less. Everything else that you did say, other than that, I was in agreeance with and I did send a copy to everybody by email. It's not anything extensive. We're talking one page and 3 lines on the next. I don't understand why it would take 2 more months to look at that.

ATTY. FORTUNATO: I'm going to research different cities and how they handle it. I certainly appreciate your effort but it's not like I'm going to sign on an Ordinance that somebody drops off.

CARRIE MORROW: It was one from Sebring.

ATTY. FORTUNATO: I don't care. It's my job to prepare the ordinances. It's my job to do the research. I'll get it to council when I'm done and we have a good ordinance to present to them.

CARRIE MORROW: That is going to take how long? When will I expect to come back?

ATTY. FORTUNATO: Maybe the next meeting but probably the one after that. This isn't the only thing we have.

CARRIE MORROW: I understand it's not the only thing you have but I also have a special needs son and I have to prepare my time to be able to attend.

ATTY. FORTUNATO: Tell me where we're at? I don't think anybody is going to stop you and arrest you.

CARRIE MORROW: I was stopped twice before the last meeting, so that is why I was making sure. I didn't have a problem for 16 years, I've been using it, it was nothing that was new.

MR. DRAGISH: I think you were stopped but I think you explained yourself. I think we're all on the same page here. Just give us some time.

CARRIE MORROW: Will someone get in touch with me? Should I plan on attending every consecutive meeting?

MRS. OLIVER: It is listed on our website. You'll see the agenda on the website before our meeting. It is always listed on the website. You will see what's going on in council.

CARRIE MORROW: Is anybody able to reach out to me if I would happen to miss it?

MRS. OLIVER: Atty Fortunato.

ATTY. FORTUNATO: What was the question?

MRS. OLIVER: She would like to know if someone could reach out to her to let her know when it's going to be on the agenda.

ATTY. FORTUNATO: Patty can you do that?

CLERK: Yes.

MRS. OLIVER: Thank you. I have a comment further on that. I don't think we should have an ordinance for just one person. I don't think there is anything wrong to have an ordinance for other people to be able to have golf carts/slow moving vehicles. You do have to have your golf cart insurance and I know that because I'm an insurance agent. Those are insured as well. I definitely don't believe an ordinance should be done for one person and one person only. It should be for our entire city. That's all I have to add to that.

ATTY. FORTUNATO: I think once we have that ordinance in place, you can do whatever you need to do with your slow-moving vehicle and feel comfortable with that.

MRS. OLIVER: Thank you, Chief Colucci for taking care of her immediately after she brought it to our attention. It is very much appreciated. Anyone else desiring to speak before council? Hearing none.

Under **OLD BUSINESS**, there was 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. TIECHE: Second.

ROLL CALL ON MOTION:

5 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:

5 Votes-Yes

0 Votes-No

Motion passes.

MRS. OLIVER: Mr. Neff could you please read letter A for me?

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

MR. TIECHE: Second.

MRS. OLIVER: Do we want to go into what we're disposing of?

MR. D'APOLITO: Sure. Mrs. Oliver, what this involves is a 2014 Dodge Challenger. It's a former police cruiser that had been up at Public Works and was part of a purchase of the new vehicle and we were able to get some return on this vehicle, so they were willing to purchase it. We are declaring it surplus so we can include it in the agreement for the new vehicle for the police department.

MRS. OLIVER: Thank you. Council questions?

MR. TIECHE: This is effectively a trade-in against another vehicle, is that right?

MR. D'APOLITO: Yes, it also included the Tahoe that was purchased from the Sheriff's Department.

MR. TIECHE: Thank you.

MRS. OLIVER: Any public comments? Hearing none.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes

Ordinance 2024-24.

ITEM B: An Ordinance Amending Ordinance 2023-50 Adopting Salary and Benefits for all Full and Part Time Non-Bargaining Unit Employees

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: 5 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. GRAHAM: Second.

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

MR. TIECHE: Madam President, I have an Ordinance Amending Ordinance 2023-50 Adopting Salary and Benefits for all Full and Part Time Non-Bargaining Unit Employees. I move for passage.

MR. DRAGISH: Second.

MRS. OLIVER: Do we have an explanation?

MR. D'APOLITO: Before I do, I wanted to give council the option, if council is so inclined, because it involves a specific employee, I checked with our city attorney and we could go into executive session if you so choose. If you want to make that motion, if not, we can discuss it here. I will do whatever council prefers.

MRS. OLIVER: I'd like to discuss it here.

MR. D'APOLITO: If anyone else would like to make a motion for executive session, it's up to you. Hearing none. The purpose of this Ordinance is to change the salary ordinance to allow the city manager to hire part time employees for an hourly rate of up to \$36/hr. The purpose of that is that we have a city employee that the city would like to retain the services. She is a full-time employee and willing to go, at my request, to a part time status and I wanted to keep her at the same rate of pay. It would save the city half of her salary. It would save the city all of her benefits. I think it's very beneficial to retain this employee on a part time basis. This would only be temporary until a new person is hired to fill that role. That's the only purpose of it. It's not to increase wages for anyone else. No wages are increased at all, actually. The salary ordinance right now provides that a part time employee can be hired by the city manager for up to \$25/hr. For the record, we currently only have one part time employee. We have a young gentleman that works in Public Works at \$16/hr. The city is advertising for a part time employee for a utility clerk position and it will probably be \$18-\$20/hr. Nothing is going to be impacted by this except for one employee. That's why I offered executive session.

MRS. OLIVER: I would like to comment on this. I feel that this would set a dangerous precedent by increasing a part time salary from \$25/hr. to \$36/hr. That leaves it wide-open. We're supposed to be responsible for our citizens tax dollars; which would mean that anybody who is a part time employee could make up to \$36/hr. We have law enforcement officers who work part time and currently make \$19/hr. putting their lives on the line. Across the board in 2024 salary increases were less than 5%, this is about 44% for a part time employee to go from \$25/hr. to \$36/hr. I do not agree with this. I also don't think that we should be taking a full-time position and changing it into a part time position as well. That's my stance on it. Any other council comments?

MR. TIECHE: It was my understanding that at this time you're going to do away with one full time position and pay the individual at the rate of pay; which is roughly equivalent to what the full-time salary would be. Currently, the salary would be at \$35.80 or maybe \$34.80 and this would take it to \$36. It is also my understanding that once we fill the full-time position, then this individual will no longer be an employee. Is that correct?

MR. D'APOLITO: Yes, that is a correct statement. The rate of pay would be \$35.80/hr. which is the current rate.

FINANCE DIRECTOR: \$34.85.

MR. D'APOLITO: \$34.85, thank you. That's why she gets certificates.

FINANCE DIRECTOR: She will be getting that same amount, it won't be the \$36/hr. I put it at 36, just to round it and make it easier. If this extends into 2025, to give us the ability to give her the raise that she would have gotten at that time.

MR. GRAHAM: It creates a salary range.

MR. D'APOLITO: Not a salary range. It's an hourly maximum rate.

MRS. OLIVER: For anybody?

MR. D'APOLITO: Anybody that the manager feels is of necessary (inaudible). At some point, it becomes a matter of trust. We don't hire people, just to hire people. This actually will save the city half the salary and benefits. I thought it was very beneficial to the city.

MR. DRAGISH: I think looking at it and I get it, I think not hearing the explanation, I think it looked a certain way. To be honest with you, if you're taking the rate and you're cutting it in half, how does that not make any sense?

MRS. OLIVER: Because this is setting a precedent for anybody.

MR. DRAGISH: It's not. It's specific just to this position.

MR. D'APOLITO: There is no precedent being set at all.

MRS. OLIVER: The way it's written, it appears that any part time employee could make up to \$36/hr. from \$25/hr. That is the way it is written.

ATTY. FORTUNATO: The rate of pay of part-time employees should be determined by the city manager and a range from a state minimum wage to a maximum of \$36. That's what it says.

MR. TIECHE: If we would have multiple employees coming on at \$36, I think we'd hear about it from the city manager and at that point we'd be able to pitch our own.....

MR. D'APOLITO: Absolutely.

MRS. OLIVER: In all fairness, what about the employees that do work here currently and they're part-time and they feel like why don't I get paid that much. What if a full-time employee says, well I do a very good job, why can't I work part-time and get paid that much money instead. There are all different ways to view that.

MR. D'APOLITO: They can say that about the \$25/hr. rate right now. That's not really the issue. It's just to retain, what I think is a very valuable employee to the city on a limited basis until the role can be filled. That's really the only purpose of this.

MRS. OLIVER: Have you posted that?

MR. D'APOLITO: It has not been posted.

MR. DRAGISH: I have to tell you honestly, the more I read about it and hear, we did kind of the same thing when we were looking for a city manager. We had Chief Colucci come in at a certain rate. It wasn't like we told him we're going to do this or that. We did that for Council, specifically for that position for him. We're not paying Chuck that now. It was specific for that particular person; which is specific for this particular person, for this particular position. Once she is gone, then it goes away.

MRS. OLIVER: But that Ordinance, if it's passed, it still stands.

FINANCE DIRECTOR: We can pass another one and change it back.

MR. GRAHAM: If we so desire.

MRS. OLIVER: Chief Colucci, in all fairness, my prior term on Council, he did have the duties of the city manager as well. He's always done an excellent job wearing both hats. I have to say, he's done it before and he was doing two jobs for one person.

MR. TIECHE: Question on the motion?

MRS. OLIVER: Any public comments? Hearing none.

ROLL CALL ON ORDINANCE:	4 Votes-Yes
	1 Vote-No (Mrs. Oliver)
	Ordinance passes.
	Ordinance 2024-25.

ITEM C: A Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor.

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 Resolution 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.

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 Resolution and authorize reading by title only.

MR. NEFF: Second.

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

MR. DRAGISH: Madam President, I have a Resolution Accepting the Amounts and Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor. I move for passage.

MR. TIECHE: Second.

MRS. OLIVER: Mr. D'Apolito.

MR. D'APOLITO: I'm going to defer to our award-winning finance director.

FINANCE DIRECTOR: We get 3 mills; real estate tax revenue and we can designate what funds we want that money to be deposited into. We have to tell them now for next year. I've had it set at 1mill and 2mills for a couple of years now. That will approximately put \$324,000 into the general fund next year and \$650,000 into the road and bridge street maintenance fund for next year.

MRS. OLIVER: Thank you. Questions from Council? Hearing none. Residents? Hearing none.

ROLL CALL ON RESOLUTION:	5 Votes-Yes
	0 Votes-No
	Resolution passes
	Resolution 2024-12.

ITEM D: A Resolution of the Council of the City of Canfield, Ohio Authorizing the Mahoning County Auditor's Office to Assess Properties within the City of Canfield.

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 Resolution and authorize adoption of the same upon its first reading.

MR. GRAHAM: Second.

ROLL CALL ON MOTION:	5 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 Resolution and authorize reading by title only.

MR. DRAGISH: Second.

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

MR. GRAHAM: Madam President, I have a Resolution of the Council of the City of Canfield, Ohio Authorizing the Mahoning County Auditor's Office to Assess Properties within the City of Canfield. I move for passage.

MR. TIECHE: Second.

MRS. OLIVER: Mrs. Clayton.

FINANCE DIRECTOR: These are all special assessments for streetlighting districts. They were all passed by Ordinance by a particular district. However, the county now wants us to do a Resolution each year to actually put them on their real estate bills for next year. They started this last year. Everything on here is for street light districts. I will be sending in later any lawn mowing that we've done. We don't have to send that quite yet because we're still mowing.

MR. DRAGISH: Why did they start that?

FINANCE DIRECTOR: I don't know. I don't know if they were having problems getting the correct numbers from different cities and townships. So, they just want to make sure that council and trustees are aware of what they're billing.

MR. DRAGISH: So, it's called out.

MR. TIECHE: Correct me if I'm wrong, all these special assessments districts were actually petitioned by the individuals that live there for streetlights or whatever those items were and were approved and therefore we're just continuing what was requested.

FINANCE DIRECTOR: Right. I have to send to the county, each parcel number, address and the owner of that property.

MR. TIECHE: But it's not like we are initiating that process ourselves.

FINANCE DIRECTOR: Correct.

MR. TIECHE: They already initiated that and we're just following.

FINANCE DIRECTOR: The residents initiated it, yes.

MR. NEFF: I know depending on the density of the housing on a particular street but you wouldn't happen to know off the top of your head what, because I've been asked by some residents, what would it cost to put in street lights?

MR. TIECHE: The way that we had done that previously is we had gotten an assessment from Ohio Edison to layout a street, give us an estimate of cost and that went back to the property owners and they circulated their own petition and submitted it to city council.

MR. DRAGISH: I believe Kings Lake, I remember they wanted X amount of them on the and there was an amount.

ATTY. FORTUNATO: 60%

MR. TIECHE: In some cases, they were requesting a street light on this pole and not that one and moving it down and that kind of thing.

MRS. OLIVER: I have a quick question since you mentioned mowing. When the city mows areas that are not owned by a resident, you guys maintain all that, correct?

PUBLIC WORKS SUPERINTENDENT: Yes.

MRS. OLIVER: If there is a street where there is a place that there is grass that is overgrowing, but it doesn't belong to a resident and it keeps continuing to grow and it's not maintained, who gets the citation for that?

ATTY. FORTUNATO: Every piece of land is owned by someone. It may be a public right of way, it may be public land but every piece of land has an owner. There is no land in the State of Ohio and the Country that there is not an owner.

MRS. OLIVER: The reason why I'm asking is because I have brought this up before, the median on Oak Tree and Pine Cone, there is no HOA, it is not owned by the resident next to it or the resident on the other side who is actually on 46. Years ago, it was maintained by the city. They would keep it mowed and take care of it all the time. Our former City Manager, who is no longer with us, after that, it is now overgrown again. If you don't have somebody in the neighborhood who finally gives in and says, Oh, my gosh, I need to do this, this looks terrible. People in our neighborhood don't have push mowers to be able to do that. We have weeds, when you go on our street. It looks unsightly. I would like to ask about that again.

ATTY. FORTUNATO: We have discussed that. That's the public right of way and the city is going to maintain that.

MRS. OLIVER: Thank you. I was wondering because I still saw it was overgrown, so I thought I would ask.

ATTY. FORTUNATO: What comes with that though, the city may choose to maintain it in a different way. The City may, since it is the city's, it doesn't have to maintain trees, they can cement it is they wanted to. The city is going to maintain it.

MRS. OLIVER: Thank you. It's very much appreciated.

ROLL CALL ON RESOLUTION:

5 Votes-Yes

0 Votes-No

Resolution passes

Resolution 2024-13

ATTY. FORTUNATO: You were asking about a motion to move the next council meeting.

MRS. OLIVER: According to my fellow council members Tuesday seems to be better.

ATTY. FORTUNATO: Under 3.09 of the Charter, the council shall meet at such times and places as may be prescribed by is Ordinances, Resolutions, rules or by Motion. We have rules in place that state when our council meetings are going to be, this particular division of the Charter says it's the 1st and 3rd Wednesdays but we can alter by what I read; which is by a Motion. If somebody would like to make a motion to move the second meeting in September from the 18th to another day, that motion would be in order.

MRS. OLIVER: I would like to make a motion that we move the council meeting from September 18th to September 17th at the same time 5:30pm.

MR. GRAHAM: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

Under COUNCIL COMMENTS:

MRS. OLIVER: There is one thing I would like to say, so I understand what we were discussing earlier for the part time employees, this is for one particular circumstance, so other employees can't get upset about this.

ATTY. FORTUNATO: The City Manager has full discretion as to who gets paid what. He can determine that rate of pay. All this does is give him flexibility on the upside. If he wanted to pay somebody \$30/hr. last week, he couldn't have done that. This time he can. But nobody is entitled to that rate of pay.

MRS. OLIVER: We will be posting for a full-time position?

ATTY. FORTUNATO: I would assume.

MRS. OLIVER: Are we going to be posting for our open position in the near future?

MR. D'APOLITO: Probably. At some point, we will have to. (inaudible)

MRS. OLIVER: That's what I was asking. I know it's always been a full-time position, so I was wondering how we can go from full-time to part-time and maintain it that way.

MR. D'APOLITO: It's temporarily. It will not always be a part time position. This is for a very limited amount of time.

MRS. OLIVER: Any other comments?

MR. NEFF: I think we're going to ask for an executive session. We'll have to look at that in two weeks for the next meeting.

ATTY. FORTUNATO: Bruce asked me to prepare a motion for executive session relative to economic development. Those are special motions for executive session. I'll have the two motions ready to go for the next meeting.

MR. NEFF: Thank you.

ATTY. FORTUNATO: Bruce has asked for this for 2 to 3 months. I will have that motion ready by the next meeting.

MR. DRAGISH: I just want to congratulate Christine again. We still have some wall space down here if you need it.

FINANCE DIRECTOR: We're actually relocating them upstairs because the wall that I have them on has run out of space. We're moving to a bigger wall.

MR. DRAGISH: Whatever wall we need to move to, I'm sure our city manager will facilitate the proper wall for your awards.

MRS. OLIVER: That's a good problem to have.

ATTY. FORTUNATO: They should be where you enter the city.

MR. DRAGISH: That would look better than what we have right now.

MR. TIECHE: I move that we adjourn.

MR. NEFF: Second.

MRS. OLIVER: We are adjourned.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL