

AGENDA

CANFIELD CITY COUNCIL

AUGUST 15, 2018 -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. Presentations and Proclamations
5. Approval of Minutes.
6. Reading of Communications.
7. Reports of Committees, Boards, City Manager, Finance Director, Chief of Police, Zoning Inspector and Public Works Foreman.
8. Public questions from residents (or representative) related to the above referenced reports. Questions may be limited to three (3) minutes.
9. Recognition of Persons Desiring to Appear Before Council.

10. OLD BUSINESS

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

- A. An **Ordinance** Adopting General Architectural Character Requirements in the D-Design Area of the City of Canfield.

Public Comments

11. NEW BUSINESS

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

- A. An **Ordinance** Authorizing and Directing The City Manager To Enter Into A Contract For The North Hillside Waterline Project and Declaring an Emergency.

Public Comments

- B. An **Ordinance** To Approve and Adopt The Current Replacement Pages To the Codified Ordinances.

Public Comments

- C. An **Ordinance** Authorizing the City Manager to Enter into a Joint Economic Development Agreement with Canfield Township.

Public Comments

- D. An **Ordinance** Authorizing the City of Canfield to Enter into an Annexation Agreement with Canfield Township.

Public Comments

- E. A **Resolution** Requiring that Legal Notices and Communications be Supplemented with Electronic Means of Communication.

Public Comments

- F. A **Motion** Authorizing the City Manager to Enter into an Agreement on Behalf of the City of Canfield with Canfield Township and the Canfield Board of Education regarding the allocation of costs related to the provision of School Resource Officers.

Public Comments

- G. A **Motion** Authorizing the City Manager to Enter Into an Agreement on Behalf of The City of Canfield with the Canfield Board of Education for the Provision of School Resource Officers.

Public Comments

- H. A **Motion** To Waive a Portion of Utility Charges for the property located at 280 Lisbon Street.

Public Comments

- I. A **Motion** To Waive a Portion of Utility Charges for the property located at 351 Oak Street.

Public Comments

- J. A **Motion** To Waive a Late Charges on a Utility Bill for the property located at 40 Callahan Road.

Public Comments

12. Council Comments

13. Adjournment

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____, _____

Introduced by: Mr. Tieche

First Reading: July 18, 2018

AN ORDINANCE ADOPTING GENERAL ARCHITECTURAL CHARACTER REQUIREMENTS IN THE D-DESIGN AREA OF THE CITY OF CANFIELD

WHEREAS, the Design Review/Historical Preservation Review Committee desires to have City Council enact an ordinance; entitled "Architectural Character Requirements"; and

WHEREAS, such ordinance is necessary to delineate and impose certain architectural requirements for structures in the D; Design Area of the City;

NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF CANFIELD, COUNTY OF MAHONING, AND STATE OF OHIO;

Section 1. That a new Canfield Codified Ordinance Section 1159.01 is hereby adopted as follows:

"1159.01 Architectural Character Requirements. The main building of an institutional or commercial use shall have architectural character consistent with its public nature. It shall be easily distinguished from residential buildings. The architecture of a commercial building may not act as a recognizable logo for a national corporation or franchise. The building architecture is deemed to be a "logo" when the specific business occupying the proposed building could still be easily identified if all the allowable signs were to be removed."

Section 2. That current Codified Ordinance sections 1159.01 and 1159.02 are hereby re-numbered as sections 1159.02 and 1159.03 respectively.

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

PASSED IN COUNCIL THIS _____ day of _____, 2018.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

RECORD OF ORDINANCES

BARRETT BROTHERS - DAYTON, OHIO

Form 6220S

Ordinance No. _____

Passed _____

APPROVED TO FORM:

MUNICIPAL ATTORNEY

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____

First Reading: _____

ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT TO REPLACE A WATERLINE ON NORTH HILLSIDE DRIVE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Canfield has evaluated the waterline on North Hillside Dr.; and

WHEREAS, it was determined that the waterline on North Hillside Dr. needs replaced from East Main St. to Callahan Rd.; and

WHEREAS, Council has received bids for said Project; and

WHEREAS, Council desires to proceed with said project.

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

Section 1: The City Manager is hereby authorized to enter into a contract with Foust Construction, Inc. for replacement of the waterline on North Hillside Dr. from East Main Street to Callahan Drive pursuant to the bid submitted.

Section 2: The cost of said project shall not exceed \$132,553.68.

Section 3: This Ordinance is hereby declared an emergency measure necessary for the preservation of public peace, health and safety of the inhabitants of the City of Canfield, Ohio. Said emergency exists by reason of the fact that it is necessary to authorize said work immediately, so that it may be completed prior to paving.

Section 4: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2018.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced By: _____

First Reading: _____

ORDINANCE

AN ORDINANCE TO APPROVE AND ADOPT THE CURRENT REPLACEMENT PAGES TO THE CODIFIED ORDINANCES.

WHEREAS, certain provisions within the Codified Ordinances should be amended to Conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has entered into a contract with the Walter H. Drane Company to prepare such annual revision which is presently before Council;

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

Section 1: That the Ordinances of the Municipality of Canfield, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2018 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2: That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State Law:

Traffic Code

303.04	Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
313.09	Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
333.01	Driving Under the Influence. (Amended)
335.09	Display of License Plates (Amended)
337.28	Use of Sunscreening, Nontransparent and Reflectorized Materials. (Amended)
351.07	Unattended Vehicles: Duties. (Amended)

General Offenses Code

513.09	Controlled Substance or Prescription Labels. (Amended)
529.07	Open Container Prohibited. (Amended)
529.08	Hours of Sale or Consumption. (Amended)
537.15	Temporary Protection Order. (Amended)

Section 3: That this Ordinance shall be effective immediately upon approval of a majority vote of the members of Council and the Clerk of Council shall cause notice of the adoption of the current Replacement Pages to be published as provided in Section 4.15 of the Charter. The provision of Section 4.15 of the Charter pertaining to the codification of ordinances shall be applicable to the current service supplementing such codification.

Section 4: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings of this Council, all pursuant to Section 121.22 of the Ohio Revised Code and Section 3.11 of the Charter of the Municipality of Canfield.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D. 2018.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____
First Reading: _____

**AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO ENTER INTO A
JOINT ECONOMIC DEVELOPMENT DISTRICT
WITH CANFIELD TOWNSHIP**

WHEREAS, the City of Canfield and Canfield Township have negotiated the terms of an agreement for a joint economic development district ("JEDD") known as the Millennial Moments Joint Economic Development District, and

WHEREAS, the City desires to enter into an Agreement for the Millennial Moments Joint Economic Development District with Canfield Township pursuant to Ohio Revised Code Section 715.70 and related sections of the Ohio Revised Code, and

WHEREAS, the City has previously conducted a public hearing regarding the proposed JEDD Agreement as required by ORC Section 7.15.70(D)(2).

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

Section 1. Subject to Canfield Township approval of (i) the Millennial Moments JEDD Agreement and (ii) the Annexation Agreement of the parties which was contemporaneously negotiated, the City of Canfield shall enter into the Millennial Moments Joint Economic Development District Agreement with Canfield Township in the form attached to this Ordinance and incorporated herein as Exhibit 1.

Section 2. That subject to the contingencies stated in Section 1, the City Manager of the City of Canfield is hereby authorized and directed to enter into the Millennial Moments Joint Economic Development District Agreement attached hereto and to take any and all other actions as may be required by law to effect the terms of the Agreement.

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

PASSED IN COUNCIL THIS _____ day of _____, 2018.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Certification of Publication

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

CLERK OF COUNCIL

APPROVED TO FORM:

MUNICIPAL ATTORNEY

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____
First Reading: _____

AN ORDINANCE AUTHORIZING THE CITY OF CANFIELD TO ENTER INTO AN ANNEXATION AGREEMENT WITH CANFIELD TOWNSHIP

WHEREAS, the Council of the City of Canfield deems it to be in the best interests of the Municipality to enter into an Annexation Agreement with Canfield Township providing for the annexation of certain property located in Canfield Township, and

WHEREAS, the City and Canfield Township have negotiated the terms of an Annexation Agreement pursuant to Ohio Revised Code Section 709.192 which is attached hereto and incorporated herein as Exhibit 1.

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

Section 1. Subject to Canfield Township approval of (i) the Millennial Moments JEDD Agreement and (ii) the Annexation Agreement attached hereto, the City of Canfield shall enter into the Annexation Agreement with Canfield Township in the form attached to this Ordinance and incorporated herein as Exhibit 1.

Section 2. That subject to the contingencies stated in Section 1, the City Manager of the City of Canfield is hereby authorized and directed to enter into the Annexation Agreement attached hereto and to take any and all other actions as may be required by law to effect the terms of the Agreement.

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

PASSED IN COUNCIL THIS _____ day of _____, 2018.

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED TO FORM:

MUNICIPAL ATTORNEY

RECORD OF RESOLUTIONS

Resolution No. _____ *Passed* _____, _____

Introduced by: _____
First Reading: _____

RESOLUTION

A RESOLUTION REQUIRING THAT LEGAL NOTICES AND COMMUNICATIONS BE SUPPLEMENTED WITH ELECTRONIC MEANS OF COMMUNICATION

WHEREAS, the Council of the City of Canfield desires to utilize electronic means of communication supplemental to other required means of notice.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Canfield, State of Ohio:

Section 1: That the Clerk of the Council of the City of Canfield shall supplement required legal notices and communications by means of posting such notices on the City of Canfield's social media platforms and by electronic mail as may be available.

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

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D, 2018

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

Introduced by: _____

Motion No. _____

**A MOTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT
ON BEHALF OF THE CITY OF CANFIELD
WITH CANFIELD TOWNSHIP AND
THE CANFIELD BOARD OF EDUCATION
REGARDING THE ALLOCATION OF COSTS RELATED TO
THE PROVISION OF SCHOOL RESOURCE OFFICERS**

WHEREAS, the Council of the City of Canfield desires to enter into an Agreement with the Canfield Board of Education and Canfield Township regarding the allocation of costs related to providing a School Resource Officers to the Canfield Board of Education; and

WHEREAS, the City of Canfield, Canfield Township and the Canfield Board of Education have negotiated the terms of an agreement allocating the costs of providing a School Resource Officers commencing with the 2018 school year.

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

Section 1. That the City of Canfield shall enter into an agreement with the Canfield Board of Education and Canfield Township in the form attached to this Motion and incorporated herein as Exhibit 1.

Section 2. That the City Manager of the City of Canfield is hereby authorized and directed to enter into the Agreement.

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

PASSED IN COUNCIL THIS _____ day of _____, 2018.

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED TO FORM:

MUNICIPAL ATTORNEY

Introduced by: _____

Motion No. _____

**A MOTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT
ON BEHALF OF THE CITY OF CANFIELD
WITH THE CANFIELD BOARD OF EDUCATION
FOR THE PROVISION OF
SCHOOL RESOURCE OFFICERS**

WHEREAS, the Council of the City of Canfield desires to enter into a School Resource Officer Agreement with the Canfield Board of Education pursuant to which Canfield Police Department officers will serve as School Resource Officers in the Canfield schools; and

WHEREAS, the City of Canfield and the Canfield Board of Education have negotiated the terms of a School Resource Officer Agreement commencing with the 2018 school year.

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

Section 1. That the City of Canfield shall enter into a School Resource Officer Agreement with the Canfield Board of Education in the form attached to this Motion and incorporated herein as Exhibit 1.

Section 2. That the City Manager of the City of Canfield is hereby authorized and directed to enter into the School Resource Officer Agreement attached hereto on behalf of the City, and to take any and all steps necessary to provide the services contemplated therein.

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

PASSED IN COUNCIL THIS _____ day of _____, 2018.

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED TO FORM:

MUNICIPAL ATTORNEY

Introduced By: _____

Motion No. _____

MOTION

A MOTION TO WAIVE A PORTION
OF UTILITY CHARGES

WHEREAS, City Council has been asked to waive a portion of outstanding billed utility charges for utility service at 280 Lisbon; and

WHEREAS, City Council has the exclusive authority to waive utility service charges.

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

Section 1: An amount equal to \$ _____ of the outstanding utility bill for water & sewer service at 280 Lisbon Street will be waived.

Section 2: That this Motion and all deliberations relating to the passage of this Motion were held in open meeting 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 _____, 2018.

CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

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

CLERK OF COUNCIL

APPROVED TO FORM:

MUNICIPAL ATTORNEY

Introduced By: _____

Motion No. _____

MOTION

A MOTION TO WAIVE A PORTION
OF UTILITY CHARGES

WHEREAS, a resident of the City of Canfield has asked City Council to waive a
all or a portion of the utility charges; and

WHEREAS, the City of Canfield will waive the amount agreeable by Mahoning County
Sanitary Engineer, not to exceed \$ _____; and

WHEREAS, City Council has the exclusive authority to waive utility service charges.

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

Section 1: That the resident at 351 Oak Street will not be responsible, for an amount
not to exceed \$ _____, on their utility bill for the billing periods of 8-23-17 thru 12-21-17.

Section 2: That this Motion and all deliberations relating to the passage of this Motion
were held in open meeting 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 _____, 2018.

CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

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

CLERK OF COUNCIL

APPROVED TO FORM:

MUNICIPAL ATTORNEY

Introduced By: _____

Motion No. _____

MOTION

**A MOTION TO WAIVE LATE
CHARGES ON A UTILITY BILL**

WHEREAS, a resident of the City of Canfield has asked City Council to waive a late fee on a utility bill which has been sent to the resident, and

WHEREAS, City Council has the exclusive authority to waive utility service charges; and

WHEREAS, Council wishes to waive the late charges and long as the amount does not exceed \$10.00.

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

Section 1: That the resident 40 Callahan Road will not be charged the late payment penalty in the amount of \$9.42 for the utility billing period 6-22-2018.

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

PASSED IN COUNCIL THIS ____ DAY OF _____, 2018

CLERK OF COUNCIL

Certification of Publication

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

CLERK OF COUNCIL

APPROVED TO FORM:

MUNICIPAL ATTORNEY