

AGENDA

CANFIELD CITY COUNCIL

September 3, 2014 – 6:00 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. Approval of Minutes.
5. Reading of Communications.
6. Reports of Committees, Boards and City Manager.
7. Recognition of Persons Desiring to Appear Before Council.
8. OLD BUSINESS
9. NEW BUSINESS
 - A. An Ordinance Providing for the Revocation of Conditional Use Permits by Creating a new Section 1151.02 in the Codified Ordinances of the City.
 - B. .An Ordinance Providing That A Charter Amendment Shall Be Submitted To the Electors of the City of Canfield for Adoption or Rejection at The Regular Municipal Election to be Held on November 4, 2014, Pursuant to Section 11.03 of the Charter of the City of Canfield and Article 18, Section 9 of the Constitution of Ohio.
 - C. An Ordinance Providing That A Charter Amendment Shall Be Submitted To the Electors of the City of Canfield for Adoption or Rejection at The Regular Municipal Election to be Held on November 4, 2014, Pursuant to Section 11.03 of the Charter of the City of Canfield and Article 18, Section 9 of the Constitution of Ohio.
10. Council Comments.
11. Adjournment.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____

First Reading: _____

**AN ORDINANCE PROVIDING FOR
THE REVOCATION OF CONDITIONAL
USE PERMITS BY CREATING A
NEW SECTION 1151.02 IN
THE CODIFIED ORDINANCES OF THE CITY**

WHEREAS, pursuant to Canfield Codified Ordinances, individuals may be granted conditional use permits for certain conditionally permitted uses within the City, and

WHEREAS, the City desires to implement a procedure for revocation of such permits in the event of non-compliance by the conditional use permit holder.

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

Section 1. That the following shall be added to the Codified Ordinances of the City as new Section 1151.02

1151.02 Revocation of Conditional Use Permit. A Conditional Use Permit may be revoked for failure to comply with the conditions for approval contained herein, or the conditions otherwise imposed by the City at the time of the initial application as follows:

1. The Zoning Inspector shall notify the property owner of the specific conditions for approval which are not satisfied and that the property owner has thirty (30) days to satisfy the required conditions of approval.

2. The property owner shall have thirty (30) days to comply with the requirements delineated in the notification from the Zoning Inspector.

3. If the property owner fails to comply with the requirements delineated by the Zoning Inspector, the Planning and Zoning Commission, shall set the matter for a public hearing by the Board of Zoning Appeals and notify the affected property owner. Notice thereof shall be given by the Secretary of the Planning and Zoning Commission not less than twenty (20) days prior to the date of the public hearing by publishing a notice in a newspaper of general circulation in the Municipality. Notice shall also be given within twenty (20) days to the parties having proprietary interest in the land located within 200 feet of the subject property. Failure to notify any person, other than the subject property owner, shall in no way affect the validity of any action taken.

4. The Board of Zoning Appeals shall conduct the public hearing within thirty (30) days thereafter and, if it finds that the conditions for approval are not satisfied, it shall promptly notify the property owner of the revocation of the subject conditional use permit which revocation shall be effective immediately.

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

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

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., 2014

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 day, to wit: _____

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced by: _____

First Reading: _____

ORDINANCE

AN ORDINANCE PROVIDING THAT A CHARTER AMENDMENT SHALL BE SUBMITTED TO THE ELECTORS OF THE CITY OF CANFIELD FOR ADOPTION OR REJECTION AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014, PURSUANT TO SECTION 11.03 OF THE CHARTER OF THE CITY OF CANFIELD AND ARTICLE 18, SECTION 9 OF THE CONSTITUTION OF OHIO.

WHEREAS, electors of the municipality have submitted petitions for the amendment of the Charter of the City of Canfield, and

WHEREAS, such petitions were submitted in accordance with the requirements of Section 9.03 of the Charter and Article 18, Section 9 of the Constitution of Ohio, and

WHEREAS, the Council of the City of Canfield must submit the Charter amendment to the electors for adoption or rejection at the regular Ohio municipal election to be held on November 4, 2014 in the City of Canfield.

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

Section 1: That a Charter amendment shall be submitted to the electors of the City of Canfield for adoption or rejection at the regular Municipal Election to be held on November 4, 2014, pursuant to Section 9.03 of the Charter of the City of Canfield and Article 18, Section 9 of the Constitution of the State of Ohio, amending Section 3.11 of the Charter to add the following:

"Prior to any final vote by Council on any ordinance or resolution in regular, special, manager's, community or emergency meetings, or any other meeting held by council, the session must be opened for comments by any resident or their representative in attendance. Comments must pertain to the issue on the floor. Council may limit any individual to 3 minutes or a maximum of 30 minutes on any single issue."

Section 2: That the provisions of Section 3.11 above shall be effective January 1, 2015, provided said provisions are adopted by the electors at the regular Municipal Election to be held on November 4, 2014, in the City of Canfield, Ohio.

Section 3: The Clerk of Council is hereby directed to certify the foregoing proposed amendment to the Board of Elections of Mahoning County, Ohio for submission to the electors of the City of Canfield as provided by law.

Section 4: That the Board of Elections of Mahoning County, Ohio shall certify to the Council of the City of Canfield the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, it shall become a part of the Charter of the Municipality of Canfield as hereinbefore set forth, in accordance with the provision for taking effect set forth in Section 2.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Section 5: Upon certification to the Council by the Board of Elections of Mahoning County, Ohio, that the amendment proposed in this Ordinance shall have been approved by a majority of the electors voting thereon, it shall be the duty of the Clerk of Council to certify a copy of said amendment to the Secretary of the State of Ohio, as required by the Constitution of the State of Ohio.

Section 6: That the Clerk of Council is hereby directed to publish the passage of the proposed amendment pursuant to Article XVIII, Section 9, of the Constitution of the State of Ohio and Section 731.21 of the Ohio Revised Code.

Section 7: That this Ordinance and all deliberations relating to the passage of this Ordinance were held in open meetings 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., 2014.

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: _____

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

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WHEREAS, electors of the municipality have submitted petitions for the amendment of the Charter of the City of Canfield, and

WHEREAS, such petitions were submitted in accordance with the requirements of Section 9.03 of the Charter and Article 18, Section 9 of the Constitution of Ohio, and

WHEREAS, the Council of the City of Canfield must submit the Charter amendment to the electors for adoption or rejection at the regular Ohio municipal election to be held on November 4, 2014 in the City of Canfield.

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

Section 1: That a Charter amendment shall be submitted to the electors of the City of Canfield for adoption or rejection at the regular Municipal Election to be held on November 4, 2014, pursuant to Section 9.03 of the Charter of the City of Canfield and Article 18, Section 9 of the Constitution of the State of Ohio, amending Section 3.09 of the Charter to add the following:

"In addition to the Council Members, President of Council, the Mayor and the City Manager, the following persons shall attend each city council meeting and report on their area(s) of responsibility at each meeting:

Finance Director
Chief of Police
Zoning Inspector
Public Works Foreman

These reports shall be open to questions by any resident or their representative(s) in attendance. Council may limit any person or their representative to a maximum of 3 minutes on any single question."

Section 2: That the provisions of Section 3.09 above shall be effective January 1, 2015, provided said provisions are adopted by the electors at the regular Municipal Election to be held on November 4, 2014, in the City of Canfield, Ohio.

Section 3: The Clerk of Council is hereby directed to certify the foregoing proposed amendment to the Board of Elections of Mahoning County, Ohio for submission to the electors of the City of Canfield as provided by law.

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Ordinance No. _____

Passed _____, _____

Section 4: That the Board of Elections of Mahoning County, Ohio shall certify to the Council of the City of Canfield the results of the vote upon said amendment, and if said amendment is approved by the majority of the electors voting thereon, it shall become a part of the Charter of the Municipality of Canfield as hereinbefore set forth, in accordance with the provision for taking effect set forth in Section 2.

Section 5: Upon certification to the Council by the Board of Elections of Mahoning County, Ohio, that the amendment proposed in this Ordinance shall have been approved by a majority of the electors voting thereon, it shall be the duty of the Clerk of Council to certify a copy of said amendment to the Secretary of the State of Ohio, as required by the Constitution of the State of Ohio.

Section 6: That the Clerk of Council is hereby directed to publish the passage of the proposed amendment pursuant to Article XVIII, Section 9, of the Constitution of the State of Ohio and Section 731.21 of the Ohio Revised Code.

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PRESIDENT OF COUNCIL

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CLERK OF COUNCIL

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wit: _____

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY