

# AGENDA

## CANFIELD CITY COUNCIL

SEPTEMBER 5, 2012

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  
None
9. NEW BUSINESS
  - A. An ORDINANCE Authorizing Change Order Number 3 for Foust Construction (North Broad Street Safety Upgrade Project) Phase 1.
  - B. An ORDINANCE Authorizing Change Order Number 4 and Final for Foust Construction (North Broad Street Safety Upgrade Project) Phase 1.
  - C. An ORDINANCE Requiring the Filing of Foreclosure Actions Within the City and Providing Maintenance Obligations.
  - D. An ORDINANCE Authorizing the City Manager to Enter Into a Contract for Demolition of the Building at 120 Indian Lake Drive.
  - E. An ORDINANCE Authorizing the City Manager to Enter Into a Contract with The GPD Group Consultants for Basic Engineering Services, and Project Administration for the East Main Street Safety Upgrade Project.
10. Council Comments.
11. Adjournment.

# RECORD OF ORDINANCES

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, \_\_\_\_\_

Introduced By: \_\_\_\_\_  
First Reading: \_\_\_\_\_

## ORDINANCE

### AN ORDINANCE AUTHORIZING CHANGE ORDER NUMBER 3 FOR FOUST CONSTRUCTION (NORTH BROAD STREET SAFETY UPGRADE PROJECT) PHASE 1

WHEREAS, the Council of the City of Canfield authorized the City Manager to enter into a contract with Foust Construction on September 7, 2011 in an amount not to exceed \$684,026.26 based on a public bid; and

WHEREAS, the Council of the City of Canfield authorized previously Change Order's Number 1 & 2 for a combined approved total of \$ 30,254.70; and

WHEREAS, the Engineer recommends a Change Order pursuant to Section 12.02(A) of the Contract; and

WHEREAS, Council desires to authorize Change Order 3.

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

Section 1: Change Order 3 is hereby authorized in an amount of \$10,798.38 pursuant to the estimate attached.

Section 2: 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., 2012.

\_\_\_\_\_  
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

BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

Form 6220

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, \_\_\_\_\_

Introduced By: \_\_\_\_\_

First Reading: \_\_\_\_\_

## ORDINANCE

### AN ORDINANCE AUTHORIZING CHANGE ORDER NUMBER 4 AND FINAL FOR FOUST CONSTRUCTION (NORTH BROAD STREET SAFETY UPGRADE PROJECT) PHASE 1

WHEREAS, the Council of the City of Canfield authorized the City Manager to enter into a contract with Foust Construction on September 7, 2011 in an amount not to exceed \$684,026.26 based on a public bid; and

WHEREAS, the Council of the City of Canfield authorized previously Change Order's Number 1, 2, & 3 for a combined approved total of \$ 41,053.08; and

WHEREAS, the Engineer recommends a Change Order pursuant to Section 12.02(A) of the Contract; and

WHEREAS, Council desires to authorize Change Order 4.

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

Section 1: Change Order 4 is hereby authorized in an amount of \$5,417.55 pursuant to the estimate attached.

Section 2: 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., 2012.

\_\_\_\_\_  
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: \_\_\_\_\_

## ORDINANCE

### AN ORDINANCE REQUIRING THE FILING OF FORECLOSURE ACTIONS WITHIN THE CITY AND PROVIDING MAINTENANCE OBLIGATIONS

**WHEREAS**, the City has encountered problems in attempting to notify property owners and lending institutions of property maintenance issues during and after a foreclosure action; and

**WHEREAS**, the City deems it necessary to provide a filing requirement which upon the initiation of a foreclosure action which will provide among other items necessary contact information relative to the subject property;

#### NOW BE IT ORDAINED BY THE CITY OF CANFIELD AS FOLLOWS:

**Section 1.** A new Canfield Codified Ordinance Section 1315.01 shall be adopted as follows:

#### 1315.01 NOTIFICATION OF FORECLOSURE FILING.

(a) Definitions as used in this Chapter.

- (1) "Person" means a natural person or any legal entity, including but not limited to, a corporation, firm, partnership, trust, or association.
- (2) "Vacant" means that no person actually resides in any part of the building or that no person conducts a lawful business in any part of the building.

(b) Notice to City of Foreclosure Filing. Any Person who files a complaint for foreclosure involving real property located within the City of Canfield shall file an Affidavit of Facts relating to the foreclosure with the City within ten (10) days of filing the complaint. The affidavit shall be in written form as prescribed by the City Manager. The affidavit shall contain the following information:

- (1) The property address and parcel number;
- (2) The current owner of the property as reflected in the records of the Mahoning County Recorder and the volume and page number of the underlying deed;
- (3) The name, address, and telephone of the person or agency filing the foreclosure action;
- (4) The date the foreclosure complaint was filed and case number assigned by the court; and
- (5) Whether the house is Vacant as defined herein, or when the house becomes Vacant as defined herein, subsequent to the filing of the complaint;
- (6) The name, address and telephone number of the individual or agency responsible for maintaining the property during and subsequent to the foreclosure action.

(c) Requirement to Keep Information Current. Any Person who files an Affidavit of Facts pursuant to this section shall file a new affidavit with the City if, at any time, the information contained in the Affidavit of Facts set forth in subsection (b) hereof is no longer current. A new Affidavit of Facts shall be filed containing current information within ten (10) days of any change in information contained in any affidavit required by this section.

(d) Penalties.

- (1) No Person shall fail to file a copy of the affidavit of facts relating to the foreclosure involving real property with the City within ten (10) days after

# RECORD OF ORDINANCES

Ordinance No. \_\_\_\_\_

Passed \_\_\_\_\_, \_\_\_\_\_

the filing of a foreclosure complaint as required herein. Whoever violates this section is guilty of failure to file a notice of foreclosure, a misdemeanor of the fourth degree.

- (2) No Person shall fail to file a new Affidavit of Facts involving real property with the City within ten (10) days of any required change as provided herein. Whoever violates this section is guilty of failure to maintain a notice of a foreclosure, a misdemeanor of the fourth degree.

**Section 2:** 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., 2012.

\_\_\_\_\_  
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: \_\_\_\_\_

## ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR DEMOLITION OF THE BUILDING AT 120 INDIAN LAKE DRIVE.

WHEREAS, the City of Canfield has received bids for the demolition of the building at 120 Indian Lake Drive; and

WHEREAS, Council desires to award said contract and proceed with the demolition.

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 All Demolition and Companies for the demolition of the building at 120 Indian Lake Drive.

Section 2: The cost of said Project shall not exceed \$11,033.00

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 \_\_\_\_\_ A.D., 2012.

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

ATTEST:

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

### Certification of Publication

I, the undersigned Clerk of Council of the City of Canfield, 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: \_\_\_\_\_

## ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE GPD GROUP CONSULTANTS FOR BASIC ENGINEERING SERVICES, AND PROJECT ADMINISTRATION FOR THE EAST MAIN STREET SAFETY UPGRADE PROJECT.

WHEREAS, the Council of the City of Canfield desires to proceed with the Design, and Project Management of the East Main Street Safety Upgrade Project; and

WHEREAS, the Council of the City of Canfield has applied for Funding Assistance from the Ohio Department of Transportation and Eastgate Council of Governments to cover 100 percent of the cost of construction; and

WHEREAS, Council desires to authorize a professional services contract with the GPD Group, Consulting Engineers for said services.

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 the GPD Group for Basic Engineering Services, and Project Administration/Bidding Assistance for the East Main Street Safety Upgrade Project.

Section 2: Cost of said services shall not exceed:

- A) Basic Engineering services - \$6,400
- B) Final Design & Construction Plan - \$ 38,600
- C) Project Administration / Bidding Assistance - \$3,500
- D) Misc. travel & expenses - \$500

**Total Engineering & Project Management Cost - \$49,000**

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 \_\_\_\_\_ A.D., 2012.

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

ATTEST:

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