

AGENDA

CANFIELD CITY COUNCIL

November 19, 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** Authorizing the City Manager To Enter Into An Agreement For The Services Of A Magistrate.
 - B. An **Ordinance** Authorizing Change Order Number 2 For Ray Bertolini Trucking, Inc. And To Declare Such Ordinance An Emergency. (Fairview-Maple Stormwater Improvement Project).
 - C. An **Ordinance** Authorizing A Contract Modification Number 1 For Tetra Tech Inc. For The Fairview-Maple Stormwater Management Project.
 - D. An **Ordinance** Amending Chapter 927 Of The Codified Ordinances Of Canfield, Ohio (Regarding Water Rates for 2015).
 - E. A **Motion** Accepting The Final Plat Known As Canfield City Lots 2561,2919 Through 2943 of The Preserve Plat 9, Subdivision Mahoning County, Ohio.
10. Council Comments.
11. Adjournment.

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced By: _____

First Reading: _____

ORDINANCE

AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT
FOR THE SERVICES OF A MAGISTRATE.

WHEREAS, the Council of the City of Canfield has deemed it to be in the best interests of the Municipality to enter into an agreement for the services of a Magistrate; and

WHEREAS, the agreement shall provide that the Magistrate will perform the duties of the Mayor, in Mayor's Court, during the absence of the Mayor; and

WHEREAS, the services of the Magistrate will be performed in accordance with Ohio Revised Code §1905.05; and

WHEREAS, pursuant to Ohio Revised Code Section §1905.05, upon appointment of the Mayor, the City may enter into an agreement with an individual to serve as Magistrate.

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

SECTION 1. That upon appointment of an individual by the Mayor, the City Manager is hereby authorized and directed to enter into the attached agreement for the services of a Magistrate in accordance with Ohio Revised Code §1905.05.

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., 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 (7) continuous days, to-wit: _____

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced By: _____

First Reading: _____

ORDINANCE

**AN ORDINANCE AUTHORIZING CHANGE ORDER NUMBER 2
FOR RAY BERTOLINI TRUCKING, INC. AND
TO DECLARE SUCH ORDINANCE AN EMERGENCY.
(FAIRVIEW-MAPLE STORMWATER IMPROVEMENT PROJECT).**

WHEREAS, the Council of the City of Canfield authorized the Manager to enter into a contract with Ray Bertolini Trucking, Inc. on August 20, 2014 in an amount not to exceed \$193,084.50 based on a public bid; and

WHEREAS, the Engineer recommended and Council of the City of Canfield approved Change Order #1 on October 15, 2014 pursuant to Section 11.05(A) of the contract; and

WHEREAS, the Engineer recommends a Change Order #2 pursuant to Section 11.05(A) of the contract; and

WHEREAS, Council desires to authorize Change Order 2.

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

Section 1: Change Order 2 is hereby authorized in an amount of \$11,907.76 pursuant to the Change Order request attached.

Section 2: That this Ordinance is hereby declared an emergency for the Public peace, health, safety, and welfare of the citizens of the City of Canfield. Said Emergency exists by reason of the fact that the project may be substantially complete by the conclusion of the 2014 construction season.

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., 2014

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

Introduced By: _____
First Reading: _____

ORDINANCE

AN ORDINANCE AUTHORIZING A CONTRACT MODIFICATION NUMBER 1 FOR TETRA TECH INC. FOR THE FAIRVIEW – MAPLE STORMWATER MANAGEMENT PROJECT

WHEREAS, the Council of the City of Canfield authorized the City Manager to enter into a contract with Tetra Tech Inc. on January 3, 2014 for basic engineering and Construction Management services for the Fairview Maple Stormwater Management Project in an amount not to exceed \$22,000.00; and

WHEREAS, the Engineer recommends a Contract Modification Number 1 pursuant to Section 3.3 of the Original Contract to provide for basic engineering and Construction Management services for the Fairview Maple Stormwater Management Project; and

WHEREAS, Council desires to authorize Contract Modification Number 1.

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

Section 1: Contract Modification Number 1 is hereby authorized in an amount of \$5,358.00 to provide additional engineering and Construction Management.

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., 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: _____

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

Ordinance No. _____

Passed _____, _____

Introduced By: _____

First Reading: _____

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 927 OF THE CODIFIED ORDINANCES OF CANFIELD, OHIO (REGARDING WATER RATES FOR 2015).

WHEREAS, the City of Canfield operates a water distribution system, purchasing water from the City of Youngstown pursuant to a ten-year contract; and

WHEREAS, the City of Youngstown has notified the City of Canfield that Canfield's water rates will increased by 8.75% each year for five consecutive years commencing in 2010 through 2014 and;

WHEREAS, it is necessary to increase water rates now effective January 1, 2015.

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

Section 1: Effective with all water billed after January 1, 2015, Chapter 927.01 of the Canfield Code relating to water rates shall be amended to read as follows:

"927.01 Rate Schedule (After January 1, 2015)

A. Metered Rates

First	20,000	gal. in any qtr	\$7.55/1,000 gal.
Next	100,000	gal. in any qtr	\$6.76/1,000 gal.
Next	100,000	gal. in any qtr	\$6.09/1,000 gal.
Over	220,000	gal. in any qtr	\$5.63/1,000 gal.

B. Minimum Rates

1.	5/8" x 3/4"	meter	5,000 gal./qtr. or less	\$37.75
2.	1"	meter	16,000 gal./qtr. or less	\$120.79
3.	1-1/2"	meter	21,000 gal./qtr. or less	\$157.75
4.	2"	meter	37,000 gal./qtr. or less	\$265.92
5.	3"	meter	65,000 gal./qtr. or less	\$455.22
6.	4"	meter	114,000 gal./qtr. or less	\$786.50
7.	6"	meter	257,000 gal./qtr. or less	\$1,644.38

C. Meter Rates for Extra-Territorial Purchasers

First	20,000	gal. in any qtr.	\$9.05/1,000 gal.
Next	100,000	gal. in any qtr.	\$8.09/1,000 gal.
Next	100,000	gal. in any qtr.	\$7.30/1,000 gal.
Over	220,000	gal. in any qtr.	\$6.76/1,000 gal.

D. Minimum Rates for Extra-Territorial Purchasers

1.	5/8" x 3/4"	meter	5,000 gal./qtr. or less	\$45.25
2.	1"	meter	16,000 gal./qtr. or less	\$144.81
3.	1-1/2"	meter	21,000 gal./qtr. or less	\$189.10
4.	2"	meter	37,000 gal./qtr. or less	\$318.52
5.	3"	meter	65,000 gal./qtr. or less	\$545.02
6.	4"	meter	114,000 gal./qtr. or less	\$941.39
7.	6"	meter	257,000 gal./qtr. or less	\$1,970.16

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, _____

E. Extra-Territorial Purchasers (Users)

As used herein and in Section 925.02 of the Codified Ordinances, the terms "Extra-Territorial Users" and "Extra-Territorial Purchasers" shall mean any purchaser of water from the City of Canfield which requires delivery of water outside the corporate limits of the City of Canfield.

F. Multiple Family Dwellings

For Multiple Family Dwellings with central heating and plumbing systems or with either, the charge shall be a minimum charge of \$37.75 for each family unit each quarter plus the Non-Assessed Users Surcharge multiplied by a factor of ten.

G. New Construction

The semi-annual charge for water service for new construction prior to the installation of a meter shall be as follows:

Frame Dwelling Construction	\$70.00
Masonry Dwelling	\$75.00
All Others	\$80.00

H. Taps

Water taps shall be charged cost plus ten dollars (\$10.00). In the event the tap is across the street, the tap shall be charged at a rate of cost plus thirty dollars (\$30.00).

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., 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: _____

CLERK OF COUNCIL

APPROVED AS TO FORM:

MUNICIPAL ATTORNEY

Introduced By: _____

Motion No. _____

MOTION

**A MOTION ACCEPTING THE FINAL PLAT KNOWN
AS CANFIELD CITY LOTS 2561, 2919 THROUGH 2943 OF
THE PRESERVE PLAT 9, SUBDIVISION MAHONING COUNTY, OHIO.**

WHEREAS, the Council of the City of Canfield desires to accept Canfield City Lots 2561, 2919 through 2943 of the Preserve Phase 9 in the City of Canfield, Mahoning County, Ohio; And

WHEREAS, the Planning and Zoning Commission recommends to Council the acceptance of Preserve Phase 9.

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

Section 1: The Council of the City of Canfield accepts phase 9 of the Preserve as public right of ways and accepts all utility easements and storm drain easements identified within said Subdivision.

Section 2: That this Motion and all deliberations 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 _____ A.D., 2014.

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 AS TO FORM:

MUNICIPAL ATTORNEY