

AGENDA

CANFIELD CITY COUNCIL **REGULAR MEETING** October 21, 2026-5:30 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.

- A. An **Ordinance** Amending Canfield Codified Ordinances 1123.01 (A) (1) and 1169.03 Regarding Accessory Buildings.

Description: In our code book we have bits of language in different sections of the code. In this Ordinance we are defining accessory buildings and capturing all of those sections in 1169.03 and eliminating all those other references to accessory buildings.

Action Needed: Passage of this Ordinance.

Attachment(s): Recommendation from Planning & Zoning.

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 Change Order Number 1 for Kirila Contractors, Inc and Declaring Said Ordinance an Emergency. (2026 Paving Program).

Description: This is an addition to the original contract amount of \$252,421.00 that council passed on July 15, 2026. The increase is for the additional work to pave Neff Court.

Action Needed: Passage of this Ordinance.

Attachment(s): Change Order 1.

Public Comments.

OVER→

12. Council Comments.

13. Adjournment

Introduced by: _____
First Reading: _____

**AN ORDINANCE AMENDING CANFIELD CODIFIED
ORDINANCES 1123.01(A)(1) AND 1169.03
REGARDING ACCESSORY BUILDINGS**

WHEREAS, the Zoning Inspector, City Manager and Law Director of the City have recommended amendments to certain City ordinances related to Accessory Buildings in the City, and

WHEREAS, Council of the City of Canfield deems it to be in the best interests of the general welfare of the citizens of the City to amend such ordinances to eliminate any confusion and to clarify requirements related to Accessory Buildings in the City, **NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANFIELD,**

Section 1. That Codified Ordinance Section 1123.01(A)(1) is hereby amended to read as follows:

“Accessory Building” means a subordinate building which is customarily incidental to and located on the same lot as the main or primary building, such as a detached garage or utility building.”

Section 2. That Codified Ordinance Section 1169.03 is hereby amended to read as follows:

“(a) An Accessory Building may be erected as an integral part of a principal building, or it may be connected thereto by a breezeway or other similar structure.

(b) An Accessory Building may be erected detached from the principal building. No detached Accessory Building shall be erected in any required yard except a rear yard, and shall not occupy more than (i) thirty-five percent (35%) of the area of the required rear yard or (ii) thirty five percent (35%) of the first-floor area of the main building on the lot. There shall be no more than one (1) Accessory Building on any lot and all Accessory Buildings shall be located a minimum of five feet from all lot lines. (Notwithstanding the above, accessory buildings to be located on properties in excess of four (4) acres or larger (may (a) occupy no more than forty five percent (45%) of the rear yard, (b) must be no larger than two thousand (2,000) square feet in total size (as specifically approved by the Planning & Zoning Commission upon recommendation by the Zoning Inspector). All Accessory Buildings shall match the primary building on the lot in terms of materials, colors and architectural style.

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 _____, 2026.

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 TO FORM:

MUNICIPAL ATTORNEY



City of Canfield

104 LISBON STREET
CANFIELD, OHIO 44406-1416

Phone: 330-533-1101
Admin. Fax: 330-533-4415
Finance Fax: 330-533-2668
www.ci.canfield.oh.us



DATE: October 8, 2026

TO: MEMBERS OF COUNCIL

**FROM: TYLER THORN, SECRETARY
PLANNING AND ZONING COMMISSION**

**SUBJECT: A RECOMMENDATION TO COUNCIL FOR AN ORDINANCE
AMENDING CANFIELD CODIFIED ORDINANCES 1123.01(A)(1) AND
1169.03 REGARDING ACCESSORY STRUCTURES.**

At the regular meeting of the Planning and Zoning Commission on October 8th, 2026, the following motion was made:

Mr. Palermo made a motion to recommend to Council to approve the amendments to Canfield Codified Ordinance 1123(A)(1) and 1169.03 regarding accessory structures.

The motion was seconded by Mr. Hawks

This motion passed 4 - 0

Introduced By: _____
First Reading: _____

ORDINANCE

**AN ORDINANCE AUTHORIZING CHANGE
ORDER NUMBER 1 FOR KIRILA CONTRACTORS, INC.AND DECLARING SAID
ORDINANCE AN EMERGENCY.
(2026 PAVING PROGRAM)**

WHEREAS, the Council of the City of Canfield authorized the City Manager to enter into a contract with Kirila Contractors, Inc. (Ordinance 2026-25) on July 15, 2026 in an amount not to exceed Two-Hundred Fifty-Two Thousand Four-Hundred Twenty-One and 00/100 (\$252,421.00) based on a public bid; and

WHEREAS, the Engineer recommends a Change Order pursuant to Section II of the Contract; and

WHEREAS, Council desires to authorize Change Order 1.

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

Section 1: Change Order 1thereby authorizes an addition to the original contract amount, in an amount of (\$40,177.50) to pave Neff Court.

Section 2: This Ordinance is hereby declared to be 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 meet invoice due date obligations.

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., 2026.

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

For (Contract): CH Campbell Elementary School Water Service Improvement Project										
Application Period:						Application Number: 1				
31-Jul-26						1-Aug-26				
Item A			B			C	D	E	F	
Bid Item No.		Description	Contract Information				Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)
			Item Quantity	Units	Unit Price	Total Value of Item (\$)				
624	Mobilization/Demobilization		1	LS	\$25,000.00	\$25,000.00	1	\$25,000.00		\$25,000.00
201	Clearing & Grubbing		1	:LS	\$1,000.00	\$1,000.00	1	\$1,000.00		\$1,000.00
832	Temporary Erosion & Sediment Controls		1	LS	\$1,500.00	\$1,500.00	1	\$1,500.00		\$1,500.00
623	Construction Layout Staking & As-Built Preparation		1	LS	\$3,500.00	\$3,500.00	1	\$3,500.00		\$3,500.00
614	Maintenance of Traffic		1	LS	\$4,000.00	\$4,000.00	1	\$4,000.00		\$4,000.00
SPEC	Video Documentation & Construction Photographs		1	LS	\$2,000.00	\$2,000.00	1	\$2,000.00		\$2,000.00
SPEC	Bonds & Insurance		1	LS	\$4,000.00	\$4,000.00	1	\$4,000.00		\$4,000.00
SPEC	6" Water Main Cut and Plug		1	LS	\$9,000.00	\$9,000.00	1	\$9,000.00		\$9,000.00
SPEC	6" Water Main Removed		2	EA	\$2,000.00	\$4,000.00	2	\$4,000.00		\$4,000.00
638	Fire Hydrant Removed		540	LF	\$3.00	\$1,620.00	220	\$660.00		\$660.00
638	6" PVC C-900 DR18 Water Main w/Push On Joints & Fittings- Horizontal Directional Drilling		1	EA	\$1,000.00	\$1,000.00	1	\$1,000.00		\$1,000.00
638	6" PVC C-900 DR18 Water Main w/Push On Joints & Fittings- Open Cut		270	LF	\$94.00	\$25,380.00	339	\$31,866.00		\$31,866.00
638	6" Gate Valve & Valve Box, Complete		625	LF	\$100.00	\$62,500.00	602	\$60,200.00		\$60,200.00
638	6" Cur-In Sleeve, Valve, & Valve Box, Complete		3	EA	\$6,000.00	\$18,000.00	3	\$18,000.00		\$18,000.00
638	6" Gate Valve & Valve Box, Complete		2	EA	\$5,500.00	\$11,000.00	5	\$27,500.00		\$27,500.00
638	Fire Hydrant Assembly, Complete		1	EA	\$11,000.00	\$11,000.00	1	\$11,000.00		\$11,000.00
638	Near Side Curb Stop and Service Line Complete		2	EA	\$2,000.00	\$4,000.00	2	\$4,000.00		\$4,000.00
638	Far Side Curb Stop and Service Line Complete		4	EA	\$3,000.00	\$12,000.00	4	\$12,000.00		\$12,000.00
SPEC	Temporary Bypass Complete, As Per Plan		1850	LF	\$13.00	\$24,050.00	451	\$5,863.00		\$5,863.00
253	Pavement Repair		250	SY	\$55.00	\$13,750.00	390	\$21,450.00		\$21,450.00
202	Sidewalk Removed		50	SF	\$10.00	\$500.00	70	\$700.00		\$700.00
608	Concrete Sidewalk		50	SF	\$50.00	\$2,500.00	70	\$3,500.00		\$3,500.00
451	Concrete Drive Replacement		25	SY	\$85.00	\$2,125.00	77.4	\$6,579.00		\$6,579.00
SPEC	Asphalt Drive Replacement		10	SY	\$55.00	\$550.00	10	\$550.00		\$550.00
653	Topsoil		135	CY	\$40.00	\$5,400.00	50	\$2,000.00		\$2,000.00
659	Seeding & Mulching		400	SY	\$12.00	\$4,800.00	951	\$11,412.00		\$11,412.00
SPEC	Allowance- Lead or Galvanized Service Lines		1		\$5,000.00	\$5,000.00				
SPEC	Allowance- As Directed by the Owner/Engineer		1		\$30,000.00	\$30,000.00				
	Totals					\$289,175.00		\$272,280.00		\$272,280.00

Change Order No. 1 Additional Work Not in Base Bid

For (Contract): CH Campbell Elementary School Water Service Improvement Project						
Application Period: Ending July 30, 2026						
A		B			C	D
Item		Contract Information			Estimated Quantity Installed	Value of Work Installed to Date
Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)		
ADDITIONAL WORK NOT IN BASE BID						
Miscellaneous Items						
SPEC	Additional Excavation for Break repair	1	LS	\$670.00	\$670.00	
SPEC	Line Relocation	1	LS	\$2,460.00	\$2,460.00	
SPEC	Catch Basin & pipe removal/replacement	1	LS	\$1,420.00	\$1,420.00	
SPEC	Exploratory Line investigation	1	LS	\$270.00	\$270.00	
Replacement of School Feeder						
638	6" PVC C-900 DR18 Water Main w/Push On Joints & Fittings- Open Cut	158	LF	\$85.00	\$13,430.00	
638	6" Gate Valve & Valve Box, Complete	1	EA	\$5,500.00	\$5,500.00	
638	6" Gate Valve & Valve Box, Labor Only	1	EA	\$2,000.00	\$2,000.00	
638	Fire Hydrant Assembly, Removed	1	EA	\$1,000.00	\$1,000.00	
638	Fire Hydrant Assembly, Relocated Labor Only	1	EA	\$1,500.00	\$1,500.00	
SPEC	6" Water line Cut & Plug	2	EA	\$1,000.00	\$2,000.00	
659	Seeding & Mulching	266	SY	\$12.00	\$3,192.00	
Totals					\$33,442.00	

MINUTES

CANFIELD CITY COUNCIL **REGULAR MEETING** OCTOBER 7, 2026-5:30 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. Nacarato, Mrs. Oliver and Mr. Schialdone.

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

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

Under **APPROVAL OF MINUTES**, the Minutes of the Regular Meeting on September 16, 2026, were approved as presented.

READING OF COMMUNICATIONS:

MRS. OLIVER: I think the communications that we have to share are present.

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

MRS. OLIVER: We'll start with you, Mr. Nacarato.

MR. NACARATO: Design Review was scheduled to meet yesterday. Unfortunately, we did not have anything on our docket, so we canceled our meeting.

MRS. OLIVER: Mr. Schialdone.

MR. SCHIALDONE: We met today. I believe the minutes are available. Not yet, okay. When the minutes come out that will be my report.

MRS. OLIVER: Thank you. Mayor Dragish.

MR. DRAGISH: I have no report.

MRS. OLIVER: Thank you. Mr. Graham.

MR. GRAHAM: Madam President, Planning & Zoning scheduled meeting is tomorrow at 5:15 P.M.

MRS. OLIVER: I'm on the Fire Board and our next scheduled meeting is October 26th. We'll go over to Mr. Rapp, our Public Works Superintendent.

PUBLIC WORKS SUPERINTENDENT: Thank you. Crews will be out repairing a water line on Callahan; we have a small leak there. That locate got called in, we notified all of the city offices. Leaf season begins Monday, October 19th. Crews will be around picking up the leaves. We do have a contractor who does ½ the town and we do the other ½. Leaf season ends Wednesday, November 25th. Crews just completed all of the fire hydrant flushing. The maintenance and exercising over 400 hydrants in the system. They are currently out making repairs on any of the hydrants that were not working correctly. Yesterday, there was some work done at the pickleball courts at Greasel Park. A secondary door, on the backside, the east side, for safety reasons, having two entrances, in case something were to happen inside. Also, we will be closing the pickleball court and the Greasel Park building for winter November 2nd. We have to prepare it for winter. Those courts won't be locked up, so if people bring their portable nets, it will still be available. That's all I got.

MRS. OLIVER: Thank you. Our Finance Director, Mrs. Clayton.

FINANCE DIRECTOR: The city has been awarded the fiscal year 2027 OVI Task Force Grant for Mahoning County. This is a federal grant passed through the Ohio Traffic Safety Office. As a federal grant, it's required to be in a separate fund. We are creating that this evening. The grant runs from October 1st, 2026, to December 30, 2027. There is also a budget adjustment on the agenda to appropriate money for the OVI Grant, so we can go out and start checkpoints and some other adjustments.

MRS. OLIVER: Thank you. Our Zoning Inspector, Mr. Thorn.

ZONING INSPECTOR: Thank you, Mrs. Oliver. For the month of September, we issued 22 permits valued at \$560,615. Total permits issued year to date 225 permits and the year-to-date value on those is \$4,946,211.11. As Mr. Graham said, the Planning & Zoning Meeting is tomorrow at 5:15 for a public hearing and 5:30pm for the regular meeting. That's all I have.

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

CLERK: Thank you. I just wanted to announce an upcoming event. The Independent Order of Odd Fellows Lodge will hold their annual Trunk or Treat on the Village Green on October 24th from 12 to 5. That's all I have.

MRS. OLIVER: Thank you. Our City Manager, Mr. D'Apolito.

MR. D'APOLITO: Thank you, Mrs. Oliver. I have an update on the Glenview Project. As we all know the culvert was scheduled to be delivered sometime in September, the update now is to be delivered on Monday, October 12th. I can't wait to see it. I'll believe it when I see it. There are some transportation issues getting it delivered here but I'm told that it will be here on

Monday the 12th. If Council approves, we're in the process of taking over the Sebring Dispatch Services. The Chief is going to speak much more in detail about it. Before he does, I just wanted to recognize the hard work that he had done. This has truly been quite the process. The Chief has been completely hands-on with this. I want to recognize him, along with Assistant Chief Weamer, Dispatcher Sgambati and our IT Director, Kevin Francis. They did an incredible job. We were out at Sebring all day yesterday, meeting with those folks there. The Chief will go into more detail, but I just wanted to recognize them for all their hard work.

My best news is, "Game On". So, Saturday, October 17th, there is a tailgate party, on the Green. Ohio State vs Indiana. We'll have bounce houses, food, music, beer, bring your chairs, it's going to be a party. Hopefully, we'll see everyone around 11:00am on Saturday the 12th of October.

MRS. OLIVER: I need to know what time, so I can sell tickets.

MR. D'APOLITO: Gates open at 11:00am, the game kicks off at noon. We were set for September 12th and there was a lot of interest in it and a lot of people keep asking me to try to get one in, so God willing, if it doesn't rain, we're having a party.

MRS. OLIVER: Thank you. Chief Colucci.

CHIEF OF POLICE: Thank you very much. I appreciate it. Thank you, City Manager, it was a team effort dealing with the Sebring dispatch situation. We've always been committed to being accountable and to the community of Canfield. Whenever we do dispatch for other communities, they get the same level of service that we provide the city and we will never stop providing the highest service to the city and if anything, ever gets in the way there is a 90 day out in those contracts. The City of Canfield is the number 1 priority. Tentatively, there is a really good chance that tomorrow morning at 9:00am that switchover will take place. It's happening a lot sooner than anyone expected. It's due to staffing issues in Sebring. Their city manager, their council, their police chief, and fire chief, is extremely concerned, and their number 1 goal is to make sure their officers, fire fighters, and city residents are all safe. I kid you not, it's as simple as a few button clicks to switch over 911 from Sebring to us, radios, telephone lines. Our staff being prepared and for anybody living in Sebring, they shouldn't notice anything, just a different voice on the phone. Other than that, they're going to get the service that you all are used to here in Canfield. Again, our number one commitment is to never take away any level of service, the high level of service that we've committed and hopefully fulfilled to our community, and we wouldn't do that if we thought that was in jeopardy. As far as Sebring goes, their city manager, their mayor, city council, fire chief, and police chief, would like to thank all of you and our city administration for considering it, taking it on and providing them with this level of service. I'm very confident in our dispatchers and their professionalism and high-level of training. They'll get the job done. They'll make us very proud. They'll be able to provide us and Sebring that high level of service. That should take place tomorrow.

MRS. OLIVER: Thank you. I have to ask a question. As you know, I serve on the 911 review committee, and this was the topic of our meeting yesterday. Am I allowed to vote on this or do I have to abstain?

ATTY. FORTUNATO: I think you can vote on it. You don't have a financial interest in the matter. What was the nature of the deliberations yesterday?

MRS. OLIVER: It was part of that it was on council's agenda; we're waiting for what the effective date is. Basically, we have everything updated. They're doing tremendous work for the 911 system to make sure that everybody gets the level of service that they should be getting.

ATTY. FORTUNATO: There was no action taken in regard to this matter?

MRS. OLIVER: No. It was all about we're waiting to find out when it's effective from council.

ATTY. FORTUNATO: You're good.

MRS. OLIVER: Thank you.

MR. D'APOLITO: So, you understand, it was January but as things developed in Sebring, it became more and more necessary to move that forward. It's to the point where, if council approves it, we will probably take over tomorrow.

MRS. OLIVER: I actually have the information. Thank you. Atty. Fortunato.

ATTY. FORTUNATO: I don't really have a formal report. I'm happy to talk about any of the ordinances as they come up.

QUESTIONS ON REPORTS:

MRS. OLIVER: Council, any questions on Report? Hearing none. Residents, any questions? Hearing none.

Under RECOGNITION OF PERSONS DESIRING TO APPEAR BEFORE COUNCIL:

MRS. OLIVER: We are going to start first with Atty. George Millich.

ATTY. MILLICH: My name is Atty. George Millich. I'll give you my office address, 3855 Star Center Drive, right down the street here in Canfield. I'm here on behalf of my client On Mark Community to discuss and hopefully be able to answer some questions regarding the annexation that was recently filed with the board of commissioners. If it's alright with everybody, I do have a statement here that I would like to go over and then I'd be glad to answer any questions. One thing I will tell you regarding the questions is we are so early on in the process, I may not have a lot of answers, and I do want to apologize upfront for that but it's

in the early process right now. So, please bear with me if I don't have specific answers but those will come out, as time goes on. One thing that we want to talk about is that the proposed development will represent a significant investment in an existing residential neighborhood and an opportunity to thoughtfully develop with an available parcel with high-quality upscale homes. What I emphasize is that we're looking at developing and building single family upscale homes. The homes are expected to have a value of between a ½ a million to 1 million dollars. That is the hope in starting this project. Bringing a level of new investment and quality that can enhance the overall character and desirability of the surrounding neighborhood. While we cannot guarantee future property values, we're hopeful of the addition of upscale homes has the potential to strengthen the market value of the existing neighborhood (inaudible). Now, we understand, the developer recognizes that you obviously have concerns. Anytime you're going to have new home construction, there are concerns regarding traffic, temporary disruption in having the building machines that will be coming in and out. Believe me, as somebody whose neighborhood is just off of Western Reserve Road, having the Western Reserve Road widening, I understand why all of you are sitting in those chairs. I do want to reassure you that these concerns are being taken seriously. Construction activity is expected to be temporary. The developer is going to make every reasonable effort to minimize its impact through reasonable scheduling, careful management of contractors and equipment and ongoing attention to the neighborhood city. While the developer understands that they have the legal right to develop this property in accordance with zoning requirements, regulations and approvals, we understand that this is not (inaudible). We also understand that this right comes with the obligation to be a good neighbor. The developer intends to take every reasonable step to prevent unnecessary problems, to protect the surrounding neighborhood and address legitimate concerns throughout the construction process. Our hope with this project is that it can result in a triple win scenario. For the city, given the upscale quality homes that are going to be built in your community, the homes could attract hiring professionals, increasing the city's tax base. From the township, with the property tax, the property is now valued for tax purposes is \$61,640.00. It brings in an annual tax of \$1,517.50. You can understand where the benefit would come in having hopefully, 17 homes valued at between ½ a million and a million dollars and the value that it would bring to your community. Lastly, the neighborhood and the neighbors, having these types of upscale homes in your neighborhood, our hopes are that it's going to increase the other market values to the surrounding neighbors and provide long-term benefits to the new homeowners and for those that already call this neighborhood home. With that, I can gladly answer any questions. I do apologize because we're so early on in the process, this is just the annexation, to get it from the township over to the city.

MRS. OLIVER: I have a question, because I know this is what they're feeling, I keep hearing the word hoping and hopeful, we don't want to hear hopeful. We went from 15 homes to 17; we went from 1.2 million to five hundred thousand and 1 million. I'm sure what they are wondering is, what square footage size are the homes supposed to be and you said, hopefully single-family homes. I know that I am sure from what I've been told, they don't want to hear anything but single-family homes. So, we can't have hopeful, we need clarity.

ATTY. MILLICH: Well, part of that, and I think we're a little early in the process for some of the questions because I know there are questions regarding the streets and fire safety. This is all something that is in development. When I said, 17 that's a hope, that's a stretch. We probably are looking more like 15. A lot of that comes down to what the requirements are in the size of the lots. As far as the value of the homes, yes there is a range. We cannot in good conscious come in here selling snake oil to the community, saying we're building million-dollar homes, and every house is going to be a million dollars. We can tell you, however, giving you a good range and a lot of that would come down to where the lot is located, all the normal things that come in when you're looking at purchasing a home. So, coming in here and saying, you're looking at a range between ½ million and 1 million dollars, is offering a lot more clarity to you than coming in here saying, we're going to have 15 one-million-dollar homes in the community and then it doesn't come out like that.

UNIDENTIFIED MAN: I was told 3 days ago it was 9 homes.

ATTY. FORTUNATO: We need to have you go to the podium and state your name and address.

UNIDENTIFIED MAN: I apologize.

ATTY. FORTUNATO: He told you to do that, it's not your fault.

MRS. OLIVER: We'll let everybody.....

MR. D'APOLITO: I've been asked by a lot of these folks, and I'd like the answer too, why a type 2 annexation? Why not go through the regular annexation? What's the urgency?

ATTY. MILLICH: Type 2, the idea was, we want to move on getting the development and this is the first step. So, this allows us to get past this step and working with developing. I wish I had pictures and I wish I had a rendering. This allows us to get to that point. That's why we're moving forward with this.

ATTY. FORTUNATO: For clarification, so everybody could understand. If the petitioner were to proceed and the county commissioners who have the final say, were to approve it; which in a type 2 annexation they must approve it. As long as they comply with the (inaudible) which they have. Keep in mind, within 30 days after the city was to accept the annexation we have the opportunity to zone the property. I talked to Atty. Millich, and the city manager, and it will be zoned R-1, the highest single-family zoning that we have. It's not going to be zoned in a manner that will allow the developer (inaudible), it's going to be zoned R-1. I confirmed that with George. The second thing is, it's not up to the city or the county how an individual proceeds with annexation. As the city manager indicated the expedited type 2 process, that's up to the owner of the property, we don't have any say on that. The type 2 annexation is seen as the great compromise between townships and municipalities that fight over annexation. The compromise was, the township keeps the property taxes, and the city can levy an income tax because of that built-in agreement it moves along fast. It's called an expedited process. But it's

entirely up to the owner. We can't tell the owner to choose type 1 or type 2. I wanted to get that on the record. Why don't we have the people go up and ask a question.

ATTY. MILLICH: I can stand over here. If I can answer the question, I promise you I will.

PATRICIA BILLEC: Patricia Billec, 70 Laurel Hills. Did you say, the way that this is being annexed the city gets the income tax and the township gets the taxes?

ATTY. FORTUNATO: The property tax. That's a type2 annexation. Like I said, that was the compromise the legislator created because the city and townships fight about annexation.

PATRICIA BILLEC: So, are these people getting services that we pay for?

ATTY. FORTUNATO: They pay income tax.

PATRICIA BILLEC: To the township, though.

ATTY. FORTUNATO: No. To the city. Your income taxes are paid for fire.

PATRICIA BILLEC: Okay.

MRS. OLIVER: Yes, you will not be paying for other people.

PATRICIA BILLEC: Can I ask another question?

MR. D'APOLITO: I'm sorry did you state your name?

PATRICIA BILLEC: Yes.

MR. D'APOLITO: What is it?

PATRICIA BILLEC: Patti Billec. When is our street going to be paved?

MRS. OLIVER: We have an answer for that. Mr. D'Apolito will you explain?

MR. D'APOLITO: I am happy to announce that your streets Laurel and Savannah are scheduled to be paved next year, we went through the process with OPWC and secured a grant. We planned to do next year, well before we got news that they were going to annex to build. I think it makes no sense for us to do it at this point because of the heavy machinery and equipment that is going to be up and down the street. So, I don't want to pave the street and have to do it again in two years. That will probably be delayed. That has not been finalized, we're going to speak with our engineer and see if there is any other way to do it. It doesn't make sense for us to spend \$350,000 or more and then have to pave again.

MR. VECCHIONE: None of this makes sense to us.

MRS. OLIVER: Next, we have Chris Vecchione.

MR. CHRIS VECCHIONE: Chris Vecchione, 131 Laurel Hills Lane. I do have some thoughts; I'm really not going to ask any questions. Thank you for acknowledging hopes, it is a very negative word. We're not going to hang onto hopes. A lot of this sounds like a bridge in Brooklyn for sale. You mentioned that you acknowledge that we have concerns. Why the expedited request? Why haven't you addressed us earlier? This petition was filed in April or prepared, there was plenty of time. Two years ago, we let you know our concerns and asked for that specifically, the engage with the developer and nothing. So, I do not find any acknowledgement of our concerns by the developer. That's all on record. The last time that you guys filed this, you falsified documentation. You checked boxes that said adjacent homes had been notified and they were not. I really don't want answers, I just want to make statements as you did. You mentioned safety, I'm going to get to this in my talk here. We thank you for your time and we do, we appreciate you. We appreciate the feedback that you guys got back to us. The Fire Chief attended our neighborhood meeting on Sunday. We appreciate that you've been here for us and I say that sincerely. Now, we recognize that there are a few council members and what I just said, what happened last time, the box was checked. Maybe they're going to say it was a mistake. I don't think so. That wasn't even why the petition was denied. This is a short notice. We've all had to put our lives on hold. I'm missing a flag- football practice for my son and I'm the defensive coach. We don't want to be here. The only thing we get is notice, we get notice only, no appeal. We are asking you to act on our behalf. We have no other options. There are 51 homes that have driveways accessing Laurel Hills Lane and Savannah Court and that's an important number for many reasons. There are 51 households that have driveways, I went physically around and counted every home. So, that's 51 homes that you represent. Our main concern is safety. There are a lot of us who couldn't be here tonight because of the short notice. Our main concern is the safety of our neighborhood, not only in the building phase but the long-term phase. We're going to talk about the fire code here in a second but make no mistake you are hearing the concerns of all 51 neighbors. A lot of them couldn't be here tonight, not just the group that's here, this is 51 families. Our main concern, as I mentioned, is safety, building phase. You mentioned that you would have to build it in a timely fashion. I smirk at that because building \$500,000 to \$1,000,000 homes, they take a while. Probably a year for one of those homes. This is going to be done in a timely fashion? At first, we were talking about 9 and now we're talking about 15. But it's going to be done in a timely fashion. What is timely? What are you guys signing us up for, ten or fifteen years of construction? Sorry, I don't accept the fact that someone is going to say, we're going to do it in a timely fashion. What is it, two years? You mentioned that you wish you had pictures. So, do we. We wish we could have found anything in the background of this developer that states that he's built a community of \$500,000-\$1,000,000 homes. The folks here that are in construction and there are a few, have searched and we can't find them. We can't find any examples. Where is the brag book? We would love to see them. It's convenient that you showed up to make a statement and actually say that. I wish I had a bridge to Brooklyn. I might have one for sale, maybe we can talk about it. The building phase is our main concern, how long is that going to

take? We have an active community, all 51 homes, I see these people all the time. We see each other because we're outside, our kids are outside. If we're talking about a 10-to-15-year project to put in these homes, they don't go up overnight. Homes like this take a year to build one home. Then you have to find the buyers. There are already million-dollar properties around Canfield that has open lots. One of our contractors said, I don't mean to be offensive to your Street it is nice, but I don't want to build million-dollar homes on there. Who puts the most expensive home in the neighborhood. You're telling me we should just accept that the developer is going to come in and put 15 of the nicest homes in the neighborhood and it's going to dress things up and drive up our values. Guess what, we have a peaceful community, a great community, a community that is outdoors. We don't need this to enhance our community. Really, it's going on the lines of risk mitigation. Things go wrong in the building phase. We have 15 different projects and trucks coming up and down the road, now the pavement of our road is getting delayed. Another advantage for us. Fifty-one homes that could potentially have our access blocked. Anything can go wrong with one of the cement trucks. Any of these semi's coming in. If they block a portion of the road and God forbid one of our community members has a heart attack and needs to have EMS. Is the ambulance going to get there. If we go to the developer and say, I'm sorry Mr. Developer this happened, you caused the death of a loved one. Are you confident that the developer is not going to declare bankruptcy. Then the burden is going to fall on the city. Have you done that risk mitigation. That should be done. Nothing about this annexation screams expedite. There is no emergency, no public emergency. I understand what Atty. Fortunato said about a compromise between townships and cities. I'm sorry, there are so many details and we're going to get into a few more. If I go over, the Attorney did as well, so be it. Ohio Fire Code, Appendix E, Section D, 107.1, that restricts neighborhoods to 30 homes. I think we're all familiar with that. There are some newer folks but that specific fire code says, there will be no neighborhood with above 30 homes with one ingress and egress. That was written for a reason. I'm sure there was factual data behind that law that it's a fire safety issue. We are already at 170% of the recommended homes. The 170%, so we have 21 homes that don't have sprinklers, they were grandfathered in. We're at 170% of that number. I factored in 9 because that was our understanding, now it's 15. Nine would bring it to 60, 15 would bring it to 66. Now, you're over 200% of a fire code that was enacted for the safety of Ohio residents. Another point about the fire code, the chief mentioned this when he came to our meeting. Can we even accommodate the gallon per minute that 15 homes are going to take. The population increases, the fire chief does not get an increase in his budget for these homes. He already gets existing money levied; he just now must do more with less. We are talking about some serious concerns from the fire chief. Nobody has responded to that. He sent the contractor a letter. He sent him a letter two years ago and asked him to reach out and nobody reached out, ever. Why not? Why would we not want to have the fire chief, especially when we have a fire code that we are already at 170% that the developer is now talking about bringing that to over 200% of the intended development and why this code was being implemented. We understand that this exception now is being utilized a fully automated sprinkler system. That's going to change everything. Forget the construction phase, someone has a heart attack and can't get through because there is a construction truck that is broken down. Let's just put that aside for a minute. Why was this exception implemented? Why did they say 30 homes? I contend that they made this exception for the 31st home 32 and 33rd home, not the 52nd to 65th home. I find

It hard to believe that number will go on into infinity, as long as you put a fully automated fire sprinkler system in you can just keep building homes. Where is the risk mitigation. Now that this has been brought to the city's attention, 2 years ago and today, Atty. Fortunato, I think that opens and exposes more risks.

ATTY. FORTUNATO: Some of the points that you're making will be handled by the developer with the development plan. Those aren't the issues in front of us today.

MR. VECCHIONE: It's too late for us by then.

ATTY. FORTUNATO: You're going to have a lot of input. When the developer submits a plan, all of you are going to have an opportunity to review those plans, comment on those plans, and weigh in on those plans. There will be public hearings relative to the zoning, etc. You're all going to have the opportunity then to address these issues.

MR. VECCHIONE: So, let's get ready for another two years because I have all the time in the world, I don't have young kids. I hear what you're saying and thank you. I appreciate you trying to clarify that but in all due respect that's meaningless here. This should be handled in the normal application process not expedited. Nothing about this screams expedited. If anything, that is one of the red flags. Everything about this request mandates more due diligence. I don't know if ever approving something and signing an agreement and then doing your due diligence, how is that ever appropriate. I'm in sales, I deal with contracts all the time. Do you know how long the risk mitigation takes with these agreements. We can't take any action until we've done that due diligence upfront, not on the back end. One of my accounts, we had delays and delays, why is that? Because the risk mitigation has to be done upfront. It should be done here as well. Let's talk about some other red flags. We mentioned that the developer checking the box, prior denial by the Mahoning County Commissioners. It appears we got things in order. Dumping that occurred two years ago. Oh, we're going to be good neighbors. The dumping that occurred two years ago, it's still there. You guys are aware of that, right? There are some new members but two years ago, after he bought the land, somebody came in and said he had permission from the developer to start dumping tree debris, 6 or 7 piles. He got stuck in the retention pond and had to be pulled out. Do you know what disruption that caused. It was 10:00pm.

MRS. OLIVER: I was on council then.

MR. VECCHIONE: I know. These folks weren't that's why I'm saying it.

MR. SCHIALDONE: Thank you, for that.

MR. VECCHIONE: Due Diligence, the Fire Department Chief, red flag. Can the land even be Developed? Are there wetlands back there? The story of how this land was donated, the original piece of property was cut back, the original owner passed, his son sold it. We mentioned that Sawmill Creek is in our backyard; that's the Army Corp of Engineer's that runs Sawmill Creek. What due diligence and risk mitigation has been done for that. One thing we talked about after

our meeting last night, our land has been sinking for a while. I have stones in my yard and you can see over the years they've compressed down. You can see the street sewers where the water runoff goes into Sawmill Creek, it sunk down. How developable is that land? I don't think there is nothing that screams a type 2 annexation. One last point I would like to ask Atty. Fortunato, some case law, a few neighbors did seek counsel. I'm not going to say who but a few neighbors did. They've gotten some reaction. A suggestion. You might hear it in another one. But the case law that was provided did that provide....

ATTY. FORTUNATO: There was a city that didn't provide services based on maintenance of a road. If there was a reason like that, it would make sense.

MR. VECCHIONE: The reason we did that, of course we're not Attorney's. There is not an Attorney on our street. I think it's really important because it does show that you do have the ability to deny service. Why are we even electing officials is you don't have the ability to deny services. We have to approve this. I don't think you have to. We respectfully request that you deny the services for this Type 2 expedited annexation. If anything, we'd like to encourage the developer to file the appropriate plan through the appropriate channels and engage our community. Don't give us promises of hopes and other language that if anything is more upsetting. Thank you for your time. I apologize for my voice and my tone.

MRS. OLIVER: I completely understand your passion. Atty. Fortunato, could you please answer what would happen if we denied it? What actually comes out of that?

ATTY. FORTUNATO: If you were to not pass the Ordinance agreeing to provide services to the proposed territory, I would have to ask George. I would assume Writ of Mandamus would be issued and filed by the applicant seeking that we do what the statute says we need to do. To Chris' point, we don't write the statutes of the State of Ohio. The statutes allow people to choose type 1 annexation or type 2. I think calling it expedited is almost a misnomer. It does move a little faster than the regular annexation. However, what is expedited is your obligation. No question about it. From when the annexation is filed with the county, you have 20 days to pass the legislation which is a quick time. No question about that. We don't write the statute here, we comply with it. That's where we're at.

MRS. OLIVER: If we denied it, would the Commissioners override us?

ATTY. FORTUNATO: No. The Commissioner's would probably not grant the petition for annexation because the municipal corporation (us) have not said we will provide services to the area.

MRS. OLIVER: Okay. Thank you for answering our questions. Next, we have John Stewart.

MR. JOHN STEWART: Hi, my name is John Stewart, 151 Laurel Hills Lane. I'm going to speak a little bit about the legal aspects of this situation with the annexation. My comments are drawn on research from our Atty. Matthew Onest with the Krugliak Law Firm here in Canfield. My wife and I are property owners next to the 11 acres off of Laurel Hills Lane that "On Mark" is asking to

expedite annexation into the city. I want to be clear. This body does have the power to deny this annexation, 100%. I can provide Mr. Fortunato or the city council members with citations and other supporting legal research. Two years ago, we approached the city, there were a lot of debate about the city's ability to stand with us and its taxpayers by exercising your right to reject the expedited annexation. We asked in 2024 if the application was to be filed, to take discretionary legislative action. It's our understanding that the county applies 7 technical conditions but the city holds the 2 most powers levers in this process and two of them are both discretionary choices that belong to this council. Within 20 days of the petition the city must adopt a Resolution stating what service will provide, the courts are clear that the content of that commitment is yours alone. The statutes only grant of sole discretion goes to the city's choice of services. Appellate Courts hold, and we can provide examples of case law, services Resolution may specify that a municipality will provide all, some, or no services and that the county board may not exercise veto power over the substance of the city's resolution. In short, you can speak through an Ordinance but you decide what it says, including committing to little or nothing. A new service ordinance is not just a formality, a once published Ohio Appellate decision holds that an Ordinance providing no services fails the county's review condition in ORC 709.023 E (6) because it's not an agreement to provide services, the city council, in that case, has no legal duty to grant a petition. Even if the county grants a petition the annexation is not complete. The record is transmitted to the city and is laid before this council and the council by Resolution or Ordinance shall then accept or reject the petition. If council does not pass an accepting Ordinance within 120 days, the petition shall be considered rejected by the legislative authority. This power is (inaudible), Ohio Court described ORC 709.04 as giving the municipality the final opportunity to accept or reject and hold the provision as no restrictions on the reason a municipality may ultimately reject the position to annex territory. Let me read that again. Has no restrictions on the reason a municipality may ultimately reject a petition to annex territory. Because this is a legislative or political discretionary choice, it's not something anyone can compel. The statute names mandamus only at the county's boards duties, not at the council's judgment. You can reject by an affirmative vote or by simply not acting for 120 days. We recognize that you may hear that the developer is entitled to its services or its annexation, it is not. A type 2 annexation keeps the land in Canfield Township for Township purposes. If the city declines to serve or accept the territory is not stranded; it continues to receive township services. So, declining this annexation is not leaving anyone without services. It simply leaves the land as it is today. We're asking the city to act now. We're running out of time. As I've laid out, you have clear authority to take action. All of this is fully within the council's power and completely within the authority of the law. The citizens of Canfield and homeowners in our neighborhood have no power to represent our interest in this matter. You are elected representatives. However, you have that power. We're asking you to use the discretion of the general assembly that they deliberately gave you over what services to promise and over whether to accept this territory at all. The statute pairs non-discretionary county duty with discretionary city choice. That choice is yours. We'd like for you to be our voice in matters like this. We're asking you to stand with us. Thank you for your time. We're hopeful that you will do the right thing

MRS. OLIVER: That brings me to my next question. If it remains in the township what can the township end up doing with that land?

ATTY. FORTUNATO: I don't speak for the township.

MRS. OLIVER: What would they be able to do? Would they be able to develop it themselves?

ATTY. FORTUNATO: I don't know that. Would the developer be able to develop the property if it stayed in the township, it might be difficult, but maybe.

MRS. OLIVER: If it stayed in the township, the township could zone it multiple family housing. That's why I'm asking these questions.

ATTY. FORTUNATO: Correct, the township would zone it.

MRS. OLIVER: Thank you.

MR. DRAGISH: I believe that's the reason we wanted to do that because we had the control for them. We need to have it zoned, not the township.

MR. NACARATO: That's my understanding.

MRS. OLIVER: Would you say that to them.

MR. DRAGISH: I was just saying, when you requested before, please don't let this happen to move this annexation forward, the reason for us to say, let's annex this to the city is because then your officials have the ability to work with you to make sure that anything that could happen to do that. As of now, we don't have the ability to do anything with the property because it's in the township. Our hands are tied. We can't do anything. By annexing that property into the city, whether it's quick or not quick, legally, I believe they would file to get that passed. With us backing out, to the gentleman who was just up there, us backing out and saying we're not going to do anything, we're going to let it go, then we have no power to help you.

MR. VECCHIONE: I respectfully disagree because number 1, I believe the developer has made some inquiries about possibly going to the township and building it there. That would require him to purchase land and build a new road. You talk about a long haul. You talk about some road blocks. There is so much to that. We believe, as a community, we have vetted that out, we discussed that, it is our opinion that it would be very difficult to build back there, unless they were given the services provided by the city. You have to dig wells if you go that way. Are you going to buy a million-dollar home and have a well. There are a lot of roadblocks for the developer to proceed that way. By the way, the township did let us know we have our own guidelines. We do not feel that even if it did get left to the county, if the developer was able to actually build, we feel okay in their hands. I don't think any of us are discouraged by having to go that route, I don't think it's possible. I think they have one shot at development and it's through the city services. I don't see that as a benefit for us. We appreciate that you do look out for us, we do. I just don't see it as an advantage. It appears to us that the developer would have a very hard or impossible

time to do it without us providing services. All we want is it to be done the right way.

MRS. OLIVER: The next person on the list is Mikey Zoccali. Please give us your name and address for the record.

MIKEY ZOCCALI: Mikey Zoccali, I live at 423 S. Briarcliff. I'm an 18-year-old senior at Canfield High School. I'm participating in the AP Capstone Program and I'm part of AP Rearch and I'm researching how our Green can be used by more Canfield residents and how to build a stronger sense of community and more walkable space around the Green. I'd like to thank Patty Bernat for her assistance in helping me. I'm here today to request a time extension for my event. I'd like to show a movie Hocus Pocus using a portable screen and projector on October 25th. The city's rules state that an event cannot be held 1 hour before sundown. The projected time for the sun to set on October 25th is around 6:30pm. If I follow that, I won't be able to show the movie due to the sun. That is why I'm requesting a time extension to host the event from 5:00pm to 8:00pm instead of the given time to me from 4pm to 6pm. I will start the move at 6:00pm but I'd need an extra hour to set up.

MRS. OLIVER: Mr. Fortunato, can we make an exception for that?

MR. D'APOLITO: I've had conversations with this gentleman. If we set a precedent and then the rules basically don't apply. If we say yes to someone, we can't say no to the next person. I've had conversations with the gentleman, through Patty. I love what he's trying to do but we have rules and it will be very dark on the Green.

ATTY. FORTUNATO: The reasons our rules exist are obvious, safety, etc. I would not advise you to do that.

MRS. OLIVER: What time did you say it's going to be dark?

MIKEY ZOCCALI: Around 6:30pm it will be dark.

ATTY. FORTUNATO: To be honest, the city manager and I were just talking and I'm not sure that decision is yours.

MRS. OLIVER: I truly admire what you would like to do. I absolutely love when young people get involved in things. I'm hoping that it can be figured out for an appropriate time, so that you can do something like that because I think it's a wonderful idea. I'm sure Mr. D'Apolito will work with what is allowed to be done.

MR. D'APOLITO: I asked him to check with the township; they have township park. They show movies at night. Maybe they'd be willing to allow it. We never have.

MR. DRAGISH: There could be a darker spot under trees where it's not sunny.

MRS. OLIVER: I was thinking that too. Thank you. Would anybody else like to address council?

UNIDENTIFIED WOMAN: I would like to address council.

MRS. OLIVER: Please come and state your name and address for the record.

PEGGY SWEENEY: My name is Peggy Sweeney and I'm at 50 Laurel Hills. I just had a question. He kept saying how he was hopeful about this extension and having 15 to 17 homes, but you guys realize we were here 2 years ago and we didn't have any idea of what he wanted to build. You're saying, we're at this point to see if they get annexed in and then we decide after that.

ATTY. FORTUNATO: What I said was, the law allows us to zone the property 30 days after the annexation is completed, at which point we will zone it R-1.

PEGGY SWEENEY: He's saying that he wants to build half a million-dollar homes.

ATTY. FORTUNATO: That would fit within R-1. R-1 is single family residential. It's our highest zoning.

PEGGY SWEENEY: (inaudible) today, knowing that we haven't seen any plans or have any idea of what he wants and he doesn't understand how much wetlands there are back there. We've all been there. That's why I'm curious if he had any idea of what he wanted to build. I mean how do you guys not know before it's annexed in, what his plans are?

ATTY. FORTUNATO: It's going to be single family homes because that's how we're going to zone it. It's a lengthy process; there will be meetings after meeting about that. You can attend all those meetings. We'll have public hearings. Unfortunately, that's the way the statute works. We can't rezone it until it's annexed in.

PEGGY SWEENEY: I just can't understand how it can be so rushed trying to get the annexation done.

ATTY. FORTUNATO: The annexation getting completed doesn't mean the development ever has to occur. If the development doesn't satisfy the requirements of Planning & Zoning and our code it doesn't get developed.

MR. DRAGISH: Therefore, that's what I was saying before. If you put it in our hands, then at any stage down the road we cannot allow certain things. If he says it's not going to be R-1, then the property will be in our hands, and we'd be able to that. If we don't and we don't approve of it, then it's not. That's what I'd trying to communicate to you.

MR. GRAHAM: No control over it.

MR. DRAGISH: Right.

CHRISTINE GERST: My name is Christine Gerst, I live at 181 Laurel Hills Lane. My property is immediately adjacent to this. I want to be respectful of everyone's time. I'm sure some of the things I'm saying will be redundant. I apologize for that. I think the confusion lies when you speak to the fact that this will all be decided in the zoning part of it. We feel, I feel, why open the door when there are so many questions and red flags (what I would call red flags). Atty. Millich, and Christine, you said it very well about hopes, so there are possibilities and there are probabilities. When we're speaking of a developer that doesn't have a track record that we know of for these homes. We are also speaking of land in Canfield that we know of, there are other lots available in Kennsington and other developments, that have lots available for homes of this size. What is the likelihood, what is the probability that this developer is going to bring these homes to the City of Canfield? As neighbors, we're feeling that this dangling carrot of this income that will be present then with these homes, again, there are possibilities, probabilities and the fact that they're hopeful but going back to the rushed nature of this. Again this can all be determined during the zoning but why open the door at this point and why not take the time to allow for due diligence with somebody who has clearly presented what we feel are not good neighbor qualities. Chrisman (inaudible) the previous box that was checked saying we were notified and the other adjacent properties were notified and we were not. Was that an oversight or intentional? We won't know that. Mr. Hallipay isn't here to say. Regardless, it was not a good business practice. Even if it was an oversight and not intentional negligence, it's not a good business practice. Is that something that we would want to open the door to that in such a rushed manner and then spend time, all of your time, all of our time, with the zoning process when we haven't had a very clear understanding if this is somebody that we want to be our neighbor.

ATTY. FORTUNATO: There is no obligation on the developer to do any of that right now. This is about annexation, should the land come in or not come in. There is no obligation that he has to submit a development plan. There is no obligation that he has to commit to anything.

CHRISTINE GERST: I understand. The city has to decide if they're going to provide services. When you make the statement that the city has control, it is very clear that the developer wouldn't have made this request of annexation in 2024 and would not have come back two years later, if he didn't need the city services. To suggest that if we don't approve it, the city loses control, then anything can happen. I feel that it is certainly a possibility but it's highly unlikely that the developer wouldn't come back 2 years later to request the same services of sewer and water that the city is willing to provide, if he didn't need it to build these homes. I wanted to add that. I know it's repetitive, the oversight with notifying the property owners, he said he did but he didn't, again it's not a good business practice and the dumping that was at 10:00pm at night and my young children were in bed sleeping and it had been happening all day but it was still going on at 10:00pm. That's when I finally called the police because of the disruption. Atty. Millich mentioned that he wants to be a good neighbor and he's mindful of the disruption that it would cause. But something as simple as dumping debris on the lot throughout the day and at 10:00pm at night, although it was an isolated incident, I'm not sure what it would look like if there was development there and how he would treat us as neighbors and treat the property and what that would look like. I thank you all. I reiterate Chris and John's sentiments; we thank you and hope that you will

take that into consideration. I know that there are some of you that were not here for this previously. We were all here speaking. So, bring that to light. Thank you for your consideration.

MRS. OLIVER: Thank you.

ATTY. MILLICH: There were a lot of good points that were brought up this evening. I do just want to clarify a couple of things. I keep hearing that he checked the box that he notified the neighbors, and you hadn't been notified. Unfortunately, that was a different counsel that handled it or the developer and I can't speak to what that counsel did. You your point, this was dated in April and it's just now being filed, that's because I was meticulously going through trying to make sure that we were doing everything under the statute. I made certain that you all got certified mail, letting you know. As far as that goes and trying to attribute that to the developer, one thing I would say is that's more on the counsel. Obviously, I was not involved with that. As far as, the dumping is concerned, I know somebody may have told you, he said it was okay, he aware that it occurred and that's one of the things, he said no dumping back there. I believe there is a sign up.

UNIDENTIFIED MAN: After.

ATTY. MILLICH: After the fact.

UNIDENTIFIED MAN: He said Hallipay gave him permission to dump.

ATTY. MILLICH: The problem with that is, when you have people illegally dumping, they'll tell you anybody gave them permission.

UNIDENTIFIED MAN: The police were there, they got the names of the individuals, somehow, somehow, he could have found out who dumped on the property.

MR. VECCHIONE: Nobody has ever done that before.

ATTY. FORTUNATO: We can't have this back and forth. We must go to the podium.

MR. VECCHIONE: That's the forum that he's

ATTY. MILLICH: I apologize.

ATTY. FORTUNATO: The record can't keep up with that.

ATTY. MILLICH: I understand. I mainly wanted to talk about not being notified before. Also, to emphasize the fact that this is the early stage. We do not have a drawing. A lot of these concerns can be discussed when the plan is put together. Just because this is annexed, this may not even go through. A lot of this is dependent upon doing research and making sure it's even on (inaudible) if it turns out that there are wetlands over there, okay, it's annexed it's not just simply

going to go forward. That property is zoned agricultural. It is not R1. This is going to allow and really limit what the uses can be. To the Mayor's point, it does provide you with the ability to make that determination and not have it outside of your hands. With that, I understand, let's nip in the bud now. My ask would be, let's give it a chance. If he's going to be investing a lot of money in this to do the research and the background checks on the land and make sure that there aren't wetlands. If it turns out that we can't do this, then fair enough. It's kind of a no hurt, no foul type of situation. Your lives aren't going to change. Nothing will change. If he determines, hey we can do this, to the fire code, it doesn't economically make sense, then fair enough. This is so early on in the process, that's why I don't have drawings. This is just the first step.

MRS. OLIVER: With all due respect, if I were the developer, I think I would do that research first and find out what's back there. I would know all those things ahead of time. That's what I would do. I would do my homework.

MR. SCHIALDONE: I have a question. We know the size of the lot is a little over 11 acres. They were under the impression 9 or 10 homes. You said 15 to 20.

MRS. OLIVER: Fifteen to seventeen.

MR. SCHIALDONE: Won't lot size and sales drive how many homes go back there? Definitely, lot size. Do you have any idea at all what you're going to make the lot size?

ATTY. MILLICH: That is something that we would work with the city on to determine proper lot size. I don't have that information.

MR. SCHIALDONE: If you go 15,000 square feet; which is the size of the lot you can get 32 homes back there.

ATTY. MILLICH: That is not what it is.

MR. SCHIALDONE: Subtracting 15% to 20% for infrastructure.

ATTY. FORTUNATO: There has to be a road.

MR. SCHIALDONE: You have sidewalks and water.

ATTY. FORTUNATO: That takes a lot of room.

ATTY. MILLICH: The plan from what I was advised is on the best day, it would be 17 homes. So, no, there is no plan for 30 homes. Again, that is something...

MR. SCHIALDONE: 32

ATTY. MILLICH: 30+. There is no plan for that.

MR. SCHIALDONE: I was just wondering, since you have the property already, if you actually measured anything out on it yet?

MR. MILLICH: I know he looked into it before but with the hiccup that occurred before, it kind of restarted the process, so to speak.

MR. DRAGISH: I wanted to ask Mark, we did approve it last time, correct?

ATTY. FORTUNATO: You did.

ATTY. MILLICH: My understanding is it was denied because he wanted it individually and council to put it into corporate and the names did not match.

MR. DRAGISH: Correct.

ATTY. FORTUNATO: It was rejected on the county level.

MR. DRAGISH: Therefore, that's the reason why he went through this process this time, to make sure things are correct.

MS. VICKI LATIMER: Vicki Latimer, 40 Laurel Hills Lane. I'm old, we don't have time to waste, in front of all these people, all I've gotten out of this entire meeting is, "I don't know". That's all I got. I don't know anything, I don't have any pictures, (inaudible) why are you wasting everybody's time.

MR. DRAGISH: It's not about him.

MS. VICKI LATIMER: (inaudible).

MR. DRAGISH: This is specific to the annexation of the property, period.

MS. VICKI LATIMER: I still respectfully say, (inaudible).

MRS. OLIVER: I don't have anyone else who would like to come up, so we are going to move onto Old Business.

Under **OLD BUSINESS**, there was none.

Under **NEW BUSINESS**:

ITEM A: An Ordinance Authorizing Change Order Number 1 for Z-Tech Builders and Excavators, Inc and to Declare Said Ordinance an Emergency (CH Campbell Water Main Replacement)

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. 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 Ordinance and authorize reading by title only.

MR. SCHIALDONE: Second.

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

MRS. OLIVER: Mr. Nacarato would you read Letter A.

MR. NACARATO: Yes, Madam President, I have an Ordinance Authorizing Change Order Number 1 for Z-Tech Builders and Excavators, Inc and to Declare Said Ordinance an Emergency (CH Campbell Water Main Replacement). I move for passage.

MR. SCHIALDONE: Second.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2026-33.

ITEM B: An Ordinance Creating the Federal OVI Task Force Grant Fund FY2027 and Declaring an Emergency.

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. NACARATO: 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.

MRS. OLIVER: Mr. Schialdone would you please read Letter B.

MR. SCHIALDONE: Madam President, I have an Ordinance Creating the Federal OVI Task Force Grant Fund FY2027 and Declaring an Emergency. I move for passage.

MR. DRAGISH: Second.

ROLL CALL ON ORDINANCE:

5 Votes-Yes

0 Votes-No

Ordinance passes

Ordinance 2026-34.

ITEM C: An Ordinance Amending Ordinance 2026-09 Annual Appropriation Ordinance to Make Appropriations for Current Expenses and other Expenditures of the City of Canfield, State of Ohio, During the Fiscal Year Ending December 31, 2026.

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. 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 Ordinance and authorize reading by title only.

MR. SCHIALDONE: Second.

MRS. OLIVER: Mr. Graham would you please read Letter C.

MR. GRAHAM: Madam President, An Ordinance Amending Ordinance 2026-09 Annual Appropriation Ordinance to Make Appropriations for Current Expenses and other Expenditures of the City of Canfield, State of Ohio, During the Fiscal Year Ending December 31,2026. I move for passage.

MR. SCHIALDONE: Second

MRS. OLIVER: Do we need any clarification on that?

FINANCE DIRECTOR: Most of it is \$250,000 for the OVI Grant. There are some adjustments in the police department, some of those are additions with grant reimbursement. Income tax refunds are running higher than anticipated.

MRS. OLIVER: Thank you. I had a second by Mr. Schialdone.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes
	Ordinance 2026-35.

ITEM D: An Ordinance Authorizing the City Manager to Enter Into An Agreement for the Provisions of Dispatch Services and Declaring an Emergency.

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. NACARATO: 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. SCHIALDONE: Second.

ROLL CALL ON MOTION:

5 Votes-Yes

0 Votes-No

Motion passes.

MRS. OLIVER: Mayor Dragish, could you please read Letter D.

MR. DRAGISH: Yes. I have an Ordinance Authorizing the City Manager to Enter Into An Agreement for the Provisions of Dispatch Services and Declaring an Emergency. I move for passage.

MR. SCHIALDONE: Second.

MRS. OLIVER: Thank you, Mayor Dragish.

MR. DRAGISH: You're welcome.

MR. D'APOLITO: This is what we mentioned in our reports this evening. This is the situation that initially started over a year ago. At that time, Sebring did not desire to have our services, they thought they could (inaudible) dispatch center. A little over a month ago, things turned dangerously deficient in Sebring and they asked if we could bring them on to handle the dispatch services. We did a lot of work. The original contract was for a January 1st start date. Because of things that are happening with their employees at this time, there are 4 of them covering 24 hours a day/7 days a week. They have now come to us; we had a meeting all day yesterday to discuss and (inaudible) they're saying we need to take over tomorrow. Cooperation in Sebring is truly impressive. Smith Township is going to be going along as well as North Georgetown and Homeworth.

MR. GRAHAM: I think it's fantastic that we have the ability, capacity and expertise to be able to be there. I compliment the Chief and his staff.

MR. D'APOLITO: All along I've said to everyone, we can't let our level of service drop one iota and I don't expect it to at all. So, far, they've come to our dispatch center on several occasions and they're incredibly impressed on what we have to offer.

MR. GRAHAM: Our city will benefit from this?

MR. D'APOLITO: Yes, the contract is truly beneficial. I told the Chief all along that I didn't want to take on people just to take on people. It has to be profitable and make sense for the city to take on additional entities.

MRS. OLIVER: Thank you. Mr. Schialdone gave a second on that.

ROLL CALL ON ORDINANCE:	5 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2026-36.

ITEM E: A Resolution Consenting to the Proposed Annexation of 11.1315 Acres of Land as filed with the Mahoning County Commissioners by On Mark Communities, LLC, Agent for the Petitioner.

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. 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 Resolution and authorize reading by title only.

MR. GRAHAM: Second.

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

MR. NACARATO: Yes, Madam President, I have a Resolution Consenting to the Proposed Annexation of 11.1315 Acres of Land as filed with the Mahoning County Commissioners by On Mark Communities, LLC, Agent for the Petitioner. I move for passage.

MR. DRAGISH: Second.

ROLL CALL ON RESOLUTION:	3 Votes-Yes
	2 Votes-No (Oliver, Schialdone)
	Resolution passes.
	Resolution 2026-08.

MR. GRAHAM: I'll comment. I'm not looking at any of this from not being an Attorney but our city supports annexation and I think under the statute this is our obligation to do this. That gives us control once that property is annexed. It is our responsibility to look out for the citizens and all things taken into consideration and said this evening, I also believe it's our responsibility

because in the past we supported annexation. We understand the guidelines and the rules and the revised code and all those things. It's not the developer's responsibility at this point in time to tell us exactly what he's going to do. Those things will be forthcoming. We will have the ability to make a decision on what does or doesn't get done.

MR. NACARATO: In saying that Mark, I do believe that this gives us better control, so we can do better for people in our community, rather than, not passing it and letting the chances that the township could have control and what they could allow.

MR. GRAHAM: I don't believe legally we cannot support it.

ATTY. FORTUNATO: You can but it would set a precedent.

MR. SCHIALDONE: I think it could be a good thing. But the sounds of what I got tonight, people were promised or told that they would have more information on this prior to it coming to this point. If they were told that they were going to be kept up to speed on what was happening over there, then they should have been kept up to speed to whatever point that annexation was at. I know they can't tell them all the particulars about it because that's an ongoing process. As the ongoing process goes on, then they can be informed further, as it moves on. Instead of just saying, this is where we're at.

MR. GRAHAM: I agree with you to that point. I wish it was different. But he has no obligation to do that.

MR. D'APOLITO: All that has happened today is the property went from the township to the city. The developer still has to comply and come out with all the things that these folks are requesting.

MR. DRAGISH: Correct.

MR. NACARATO: They have to go by our rules.

MR. DRAGISH: Correct. So, now we can hold him accountable for anything. That's our point. If not, then it's out of our hands.

UNIDENTIFIED WOMAN: (Inaudible)

MR. DRAGISH: This has nothing to do with this today.

MR. SCHIALDONE: We're not that far yet.

MRS. OLIVER: We can't have back and forth during a council meeting. Respectfully, my comment to that is, I will absolutely be diligent about what is brought forward because the safety of our residents is my concern with the fire department and getting in and out. I want to see what is going to be done and I will ask the questions. I believe that residents know that I do ask the

questions. I understand that just means that we have control over it but that also means we have control over being able to make the hard decisions on what can and cannot be done.

ATTY. FORTUNATO: Your actions tonight don't result in the annexation. Your actions are a signal to the county commissioners that if they approve the annexation, we will accept it.

MR. SCHIALDONE: Along with that, they should be informed on what's happening. That's all I want to get at. Obviously, these people want to be involved in what's going on over there, because their homes are there. They have a vested interest in what's going on.

MR. DRAGISH: I believe he did for this particular annexation let them know what was happening. Atty. Millich?

ATTY. FORTUNATO: Notice was provided.

MR. DRAGISH: Correct. So, from this point moving forward, they have been informed.

ITEM F: A Resolution Designating Services Available to Lands Proposed for Annexation to the City.

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. NACARATO: Second.

ROLL CALL ON MOTION:

4 Votes-Yes
1 Vote-No (Scialdone)
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:

4 Votes-Yes
1Vote-No (Schialdone)
Motion passes.

MRS. OLIVER: Mr. Schialdone would you please read Letter F.

MR. SCHIALDONE: Madam President, I have A Resolution Designating Services Available to Lands Proposed for Annexation to the City. I move that this be tabled pending further investigation. Is that allowable?

ATTY. FORTUNATO: If that motion is passed in essence, you've missed your deadline. You'd have to take it up at the next meeting. You would be stating to the petitioners that we're not providing service. It's a motion to table it. My legal advice is don't table it, vote on it. By tabling it you're saying no.

MR. DRAGISH: Can we move for passage?

ATTY. FORTUNATO: Your motion was to table it.

MR. SCHIALDONE: Correct. Can I remove it? Are you recommending to me.....

ATTY. FORTUNATO: I recommend you withdraw that motion to table it and vote on it, because of the statutory time limit.

MR. SCHIALDONE: I withdraw the motion to table and recommend passage.

MR. DRAGISH: Second.

ROLL CALL ON RESOLUTION:	4 Votes-Yes
	1 Vote-No (Schialdone)
	Resolution passes.
	Resolution 2026-09.

ITEM G: A Resolution providing that the City of Canfield will require a buffer if the newly annexed land is incompatible with adjacent land remaining in the township pursuant to Ohio Revised Code Section 709.023.

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. NACARATO: 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. NACARATO: Second.

ROLL CALL ON MOTION:

4 Votes-Yes
 1 Votes-No (Schialdone)
 Motion passes.

MRS. OLIVER: Mr. Graham could you please read Letter G.

MR. GRAHAM: Yes, Madam President, I have A Resolution providing that the City of Canfield will require a buffer if the newly annexed land is incompatible with adjacent land remaining in the township pursuant to Ohio Revised Code Section 709.023. I move for passage.

MRS. OLIVER: Atty. Fortunato, could you please explain that.

ATTY. FORTUNATO: There are 3 Resolutions for passage tonight. The first was just a general consensus that annexation, no accepting but consenting too. The second was designating services. The third is required, the land is zoned by us and it's incompatible with the township zoning, then we would require a buffer.

MRS. OLIVER: What would that buffer be since it's agricultural?

ATTY. FORTUNATO: In this instance it doesn't even apply. It would apply if we allowed a factory to move in there. But there are residential homes around it.

MRS. OLIVER: Understood. Thank you.

MR. DRAGISH: Second.

ROLL CALL ON RESOLUTION:

5 Votes-Yes
 0 Votes-No
 Resolution passes.
 Resolution 2026-10.

Under **COUNCIL COMMENTS:**

MRS. OLIVER: Do I have a motion to adjourn.

MR. NACARATO: I'll make that motion.

MR. DRAGISH: Second.

MRS. OLIVER: We are adjourned.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL