

AGENDA

CANFIELD CITY COUNCIL REGULAR MEETING

June 5, 2024-5:30 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** Affirming the Prohibition of Marijuana Cultivation, Processors and Dispensaries within the City of Canfield.

Description: This Ordinance is to prohibit the retail cultivation, processing and/or retail dispensing or sale of marijuana. This is the second reading of this Ordinance.

Action Needed: Passage of Ordinance

Attachment(s): None

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 the City Manager to Enter Into A Contract for the East Main Street Improvement Project and to Declare Said Ordinance an Emergency.

Description: This is for the resurfacing of the eastbound lane of East Main Street (US 224). The work is generally located between Fairview Avenue and Hillside. Bids were opened on May 29, 2024 @ 10:00am. The lowest/best bidder was Shelly & Sands, Inc. in the amount of \$110,469.66.

Action Needed: Passage of this Ordinance as an emergency due to the urgency to get E. Main Street resurfaced.

Attachment(s): Recommendation from MS Consultants, Inc. and the Bid Tabulation Sheet.

12. Council Comments.

13. Adjournment

Introduced by: _____
First Reading: _____

**AN ORDINANCE AFFIRMING THE PROHIBITION OF
MARIJUANA CULTIVATION,
PROCESSORS AND DISPENSARIES
WITHIN THE CITY OF CANFIELD**

WHEREAS, on November 7, 2023 the citizens of the state of Ohio passed Issue 2 to legalize marijuana in Ohio including allowing the sale and purchase of marijuana, the possession of marijuana of up to 2.5 ounces by adults 21 years and older, and the cultivation of up to six marijuana plants at home; and

WHEREAS, Canfield City Council previously passed Ordinance No. 2017-16 prohibiting medical marijuana cultivators, processors, and retail dispensers within the City of Canfield as necessary and proper to protect the health, safety, welfare, comfort and peace of the citizens of the municipality; and

WHEREAS, the Ohio legislature is currently considering laws and regulations related to the use, sale and cultivation of marijuana subsequent to the passage of Issue 2.

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

Section 1: That Canfield Codified Ordinance Chapter 737 entitled “Marijuana Cultivation, Processing, and Retail Sales” is hereby re-stated, as follows:

Section 2: Ordinance Section 737.01 Cultivation, Processing and Retail Sales of Marijuana

The retail cultivation, processing and/or retail dispensing or sale of medical and recreational marijuana, is hereby prohibited within the City of Canfield.

Section 3: Ordinance Section 737.99 Penalties

Whoever violates any provision of this Ordinance is guilty of a misdemeanor of the first degree. Each day that any person continues to violate any provision of this Ordinance shall constitute a separate and complete offense.

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 _____, 2024.

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

Introduced by: _____
First Reading: _____

ORDINANCE

**AN ORDINANCE AUTHORIZING THE CITY MANAGER
TO ENTER INTO A CONTRACT FOR THE EAST MAIN STREET IMPROVEMENT PROJECT
AND TO DECLARE SAID ORDINANCE AN EMERGENCY**

WHEREAS, the Council of the City of Canfield has determined that the Eastbound Lane of E. Main Street between Fairview and Hillside within the City needs to be resurfaced; and

WHEREAS, specifications for said resurfacing have been prepared; and

WHEREAS, bids have been received; and

WHEREAS, Council now deems it to be in the best interest of the City to award a contract for the street repairs and resurfacing of the Eastbound Lane of East Main Street from Fairview to Hillside.

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

Section 1: The City Manager is hereby authorized to enter into a contract with Shelly & Sands, Inc. for the resurfacing of the Eastbound Lane of E. Main Street from Fairview to Hillside as detailed in their bid attached hereto.

Section 2: The said authorization shall not exceed a cost of \$110,469.66.

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.

Section 4: 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 work must be done within 30 days of awarding the contract.

PASSED IN COUNCIL THIS _____ DAY OF _____ A.D., 2024.

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

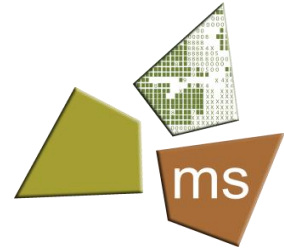
APPROVED AS TO FORM:

MUNICIPAL

ms consultants, inc.

engineers, architects, planners

333 East Federal Street
Youngstown, Ohio 44503-1821
p 330.744.5321
f 330.744.5256



May 30, 2024

Mr. David A. D'Apolito
City of Canfield
104 Lisbon Street
Canfield, Ohio 44406

**RE: East Main Street Improvement Project
Bid Opening- May 29, 2024**

Dear Mr. D'Apolito:

Bids were received on May 29, 2024 for the East Main Street Improvement Project. Based upon review of the bid documents, ms consultants, inc. recommends award of the project to the apparent low bidder, Shelly & Sands, Inc. with a total base bid amount of One Hundred Ten Thousand Four Hundred Sixty-Nine Dollars and 66/100 (\$110,469.66).

Contractor

Shelly & Sands, Inc.

Lindy Paving, Inc.

Total Bid

\$110,469.66

\$145,838.00

Upon review of the low bidder's submittal, the required items appear to be complete and satisfy the requirements detailed in the Instructions to Bidders. No mathematical errors were found on the bid form. All required documents and signatures are provided. In reviewing the Bidder's Qualifications submitted with the bid, Shelly & Sands, Inc. demonstrates the knowledge, ability, and experience to complete the work in this contract. The bid tabulation is attached for your records.

Sincerely,

A handwritten signature in blue ink that reads "Steve Preston".

Steve Preston, P.E.
Project Manager

cc: File: 61-20618-01

BID TABULATION															
PROJECT CLIENT:			City of Canfield				BIDS RECEIVED: 5/29/2024								
PROJECT DESCRIPTION:			East Main Street Improvement Project				BIDS TABULATED: 5/30/2024								
ENGINEER'S PROJ. NO.			61-20618-01				Shelly & Sands, Inc. Lindy Paving Contractor C Contractor D Contractor E Contractor F								
ENGINEER'S ESTIMATE			\$148,676.00												
ITEM NO.	EST. QTY.	ITEM DESCRIPTION	UNIT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
East Main Street															
254	3,350	Pavement Planing, Asphalt Concrete, EB Lane, 2.75", as per Plan	SY	\$ 7.00	\$ 23,450.00	\$ 7.23	\$ 24,220.50		\$ -		\$ -		\$ -		\$ -
SPEC	1,325	Sealing of Existing Patches	LF	\$ 1.20	\$ 1,590.00	\$ 1.50	\$ 1,987.50		\$ -		\$ -		\$ -		\$ -
407	670	Tack Coat	GAL	\$ 3.05	\$ 2,043.50	\$ 4.00	\$ 2,680.00		\$ -		\$ -		\$ -		\$ -
441	100	Asphalt Concrete Surface Course, Type 1 (448), PG64-22	CY	\$ 345.00	\$ 34,500.00	\$ 395.00	\$ 39,500.00		\$ -		\$ -		\$ -		\$ -
441	185	Asphalt Concrete Intermediate Course, Type 2 (448), PG64-22	CY	\$ 175.00	\$ 32,375.00	\$ 290.00	\$ 53,650.00		\$ -		\$ -		\$ -		\$ -
614	1	Maintenance of Traffic	LS	\$ 14,861.16	\$ 14,861.16	\$ 22,150.00	\$ 22,150.00		\$ -		\$ -		\$ -		\$ -
642	0.42	Center Line	Mile	\$ 2,500.00	\$ 1,050.00	\$ 2,500.00	\$ 1,050.00		\$ -		\$ -		\$ -		\$ -
642	300	Island Marking	SF	\$ 2.00	\$ 600.00	\$ 2.00	\$ 600.00		\$ -		\$ -		\$ -		\$ -
		Subtotal			\$ 110,469.66		\$ 145,838.00		\$ -		\$ -		\$ -		\$ -
TOTAL AMOUNT STREET IMPROVEMENT:					\$ 110,469.66		\$ 145,838.00		#REF!		#REF!		#REF!		#REF!
DATE OF BID AS SUBMITTED:						5/29/2024		5/29/2024							
BIDDER'S FIRM:				Shelly & Sands, Inc.			Lindy Paving								
AUTHORIZED REPRESENTATIVE:				Frank Donadee			Vincent P. Tutino								
TITLE:				Assistant Vice President			President								
UNIT PRICE BID, TOTAL AMOUNT BID - ITEM, & TOTAL AGREE ?					Yes		Yes		Yes/No?		Yes/No?		Yes/No?		Yes/No?

DENOTES CORRECTION TO TOTAL AMOUNT FOR THE ITEM

DENOTES CORRECTION TO TOTAL AMOUNT BASE BID

I certify that the Bid Tabulation is a correct and complete Tabulation of Bids Received on May 29, 2024 for the subject project.

May 30, 2024

Steve Preston, P.E.

Date

ms consultants, inc.

MINUTES
CANFIELD CITY COUNCIL
REGULAR MEETING
MAY 15, 2024-5:30 P.M.

The meeting was called to order by Mrs. 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, Mrs. Oliver and Mr. Tieche.

Absent: Mr. Neff.

Staff present: Jodi Flinn, Zoning Inspector

Absent: Charles Colucci, Chief of Police; Christine Stack-Clayton, Finance Director; and John Rapp, Public Works Superintendent.

Under **PROCLAMATION & PRESENTATIONS:**

The following Proclamation was presented in honor of Police Week.

***WHEREAS**, Police Officers of the Canfield City Police Department stand watch over our citizens, selflessly risking their lives to protect individuals, families, neighborhoods, and property against crime; and*

***WHEREAS**, it is important that all citizens recognize the duties, responsibilities, hazards, and sacrifices of local law enforcement agencies; and*

***WHEREAS**, Wednesday, May 15, 2024, is observed Nationally as Peace Officers Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty; and*

***WHEREAS**, the City of Canfield Police Department, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered dedicated service to the community.*

***NOW, THEREFORE, I, Don Dragish, Jr**, as Mayor of the City of Canfield do hereby declare May 12-18, 2024 as:*

POLICE WEEK

in the City of Canfield, Ohio, and hereby publicly salute the service of law enforcement officers in our community.

***IN WITNESS WHEREOF**, I have hereunto set my signature and the seal of the City of Canfield, this 15th day of May, 2024.*

DON DRAGISH, JR. - Mayor

Under **APPROVAL OF MINUTES**, the Minutes of the Regular Meeting on May 1, 2024 were approved as presented.

Under READING OF COMMUNICATIONS:

MRS. OLIVER: One thing I would like to say in this meeting is, I would like to honor a long-time resident. A gentleman who was very actively involved in our community. It was always a fun thing because Mr. Frank Micchia, Jr. was incredible in his caring and everything he's done. At times, we would all go back and forth but I think Frank really enjoyed that part of that. What I find most interesting is that, he wrote his own obituary. Even when he knew that he was no longer going to be here with us, he left a very important statement in his obituary, he left behind for Council. I felt it was appropriate to share because even with him being gone, he still wants to be heard. He deserves that. What he said was, having an interest in city government I attended City Council Meetings for many years. I personally collected signatures for a number of Charter Amendments to the benefit of all. As to the debate of the merging of Canfield and Boardman Fire Department, my contribution was, "if it ain't broke, don't fix it". I thought that was interesting, because we keep hearing about that on the radio and people coming in front of us, and Mr. Micchia wanted it to be known how he felt. He was also instrumental in getting designated parking spaces in a number of lots for Veteran's and contributed to the building of the Veteran's Plaza. He attended many school board meetings. He was a fixture of this community and he will be remembered for all the years to come and I would like to extend my condolences to his family and rest in peace. I know that he will be watching down over our council meetings in the future.

In other communications, there was a lot of talk about East Main Street on social media. I was finally able to give an update on that; which made everybody extremely happy. I do know that somebody brought up and I have to look it up, I think it was Bradford but when they were doing the digging and certain curbs were being repaired, replaced and fixed, the gentleman was asking me when they are going to repair his. I will send some communication along to you, Mr. D'Apolito, so that you're aware of that. That's all I have. I just wanted to honor Frank Micchia, Jr. and let him know that we will always remember him being here and addressing us. Do you have anything Mr. Tieche?

MR. TIECHE: I do not.

MRS. OLIVER: Mayor Dragish?

MR. DRAGISH: No, I'll just piggyback on Frank Micchia, also. Since I came into office here, probably 2014, Frank has been there, the whole time. It's funny because as much grief as he's given me over the years and saying different things back and forth, but at the end of the day, he would say a lot more here in council than he would really believed. Separately, outside of here, he was a really great guy. We

actually did get along very well. He's going to be definitely missed. It's funny because the whole 3-minute rule is because of Frank. My condolences to him and his family. He is truly going to be missed.

MR. TIECHE: I think it nothing else, we'll remember, if it's not broke, don't fix it. That can go to all kinds of things.

MR. D'APOLITO: I do believe the Police Department was involved in funeral services. (inaudible).

MR. GRAHAM: American Legion was there also.

MR. DRAGISH: How nice!

MRS. OLIVER: Mr. Graham.

MR. GRAHAM: I have no communications.

MRS. OLIVER: We are dedicating this council meeting to Mr. Micchia.

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

MR. TIECHE: I think that all members of council have received minutes of the Parks Board Meetings both the April and May meetings. There was a lot of discussion at those meetings with regard to different standards around the Village Green, what should be allowed and not allowed there. There is going to be a situation that is just open for discussion and ultimately, we as members of council are going to be involved in that, as far as accepting standards, if there are going to be standards and what those may be. Please look at those minutes. I was somewhat expecting to have 3 or 4 ladies at tonight's meeting, as a result of our last meeting. Be that as it may, you can do yourself a favor by reading those and be up to speed. We've had good attendance, including our manager and public works supervisor at those meetings. It's been very helpful.

MRS. OLIVER: Mr. Neff isn't here so, when we get to our Zoning Inspector, I will have her update us.

MR. D'APOLITO: Mrs. Oliver on his behalf, he is out of town for a family emergency. He called me yesterday, otherwise he would be present. He don't think he's ever missed a meeting.

MRS. OLIVER: Thank you. I knew something was off because he's always here. Mayor Dragish.

MR. DRAGISH: I just have the Mayor's Monthly Report to Council. The costs and those who paid we received and the total net collections to the city is a whopping \$170.01.

MRS. OLIVER: Thank you, Mayor. Mr. Graham.

MR. GRAHAM: Design Review met May 7th. There were 3 items that were approved. A request for an addition at 11 Sleepy Hollow Drive, a request for a digital sign at TP Tools on W. Main Street and a fence request at 249 High Street. Those items were all approved.

MRS. OLIVER: Thank you. As for me being on the fire board, our next meeting is next Monday, the 4th Monday of the month. I don't have any updates since our last meeting. Our Public Works Supervisor, Mr. Rapp. Does someone have his report?

MR. D'APOLITO: I do. Just so Council is aware, he did have a family function tonight for his children. He asked to be excused and I thought council would be okay with that. I told him I would read his report for him. Public Works repaired two major water breaks in the past two weeks, those being on Blueberry Hill and Sawmill. The city's sweeping contractor has begun sweeping all curbed city streets. That is with EverBrite and is taking place now. A backup generator has been delivered to the Hilltop water tank. It should be operational within the next few weeks. The Consumer Confidence Report has been completed and will be delivered to residents by June 30th to meet the EPA Guidelines. Finally, lead and copper samples are currently being distributed by Public Works, he is appreciative of all residents who have offered their time to provide mandated samples.

MRS. OLIVER: I was hoping he would be here to say this but I still want to. I want to give a shout-out to our Public Works Department because they go above and beyond, they're amazing, they've had water breaks lately where they have been out fixing things until 4:00am. They have just been completely on top of everything, taking care of our residents. In fact, we had a 90+ year old resident, they were right there for her for an emergency she had. I just really appreciate them. I wanted to make sure that it's known that they work really hard for us.

MR. D'APOLITO: It amazes me that there are only 10 workers that are the backbone of the city.

MRS. OLIVER: Our Finance Director, Mrs. Clayton. Is somebody doing her report?

MR. D'APOLITO: I don't have a report for her. She had a family emergency this afternoon. There was no time for a report. I thought it was best if she was with her family.

MRS. OLIVER: I completely concur with that. Mrs. Flinn our Zoning Inspector.

ZONING INSPECTOR: Thank you, Mrs. Oliver. Our last Planning & Zoning Meeting we had 2 public hearings on the agenda. The first was a request on Jade Circle for an adjustment for a backyard fence, the adjustment was granted for a half a foot higher than the 4-foot regulation because it was a corner lot. The second was a request on Lake Wobegon for an adjustment to the front yard setback. The adjustment was 10 feet shorter than the 50-foot regulation in the Ordinance, this is due to the extraordinary lot conditions. Our next meeting is scheduled for Thursday, June 13th at 5:30 pm; which is a new time. As far as zoning goes, for the month of May, we issued 5 garage sale permits and 10 zoning permits, totally \$10,400. That's a total valuation of 2,066,000. An update of what's been going on in the zoning department, we've been working with Tyler our new system that utilities and finance went through. We started today and will go through Friday. We will transition over and permits will come out of the system. We're planning on going live on Monday. That's my report.

MR. DRAGISH: Question, if I have a fence and I wanted to replace the fence, do I need to get a zoning permit?

ZONING INSPECTOR: Yes.

ATTY. FORTUNATO: Not a repair only replacing.

MR. DRAGISH: Okay.

MRS. OLIVER: Mrs. Bernat, our Clerk.

CLERK OF COUNCIL: Just a reminder, the Canfield High School and Middle School, Jazz Band Concert will be Monday on the Village Green at 6:30pm. That's Monday, May 20th.

MRS. OLIVER: Thank you. Our Police Chief, Chief Colucci are you going to do that with your city manager report Mr. D'Apolito?

MR. D'APOLITO: I do not have a report from the Chief of Police, he's on vacation.

MRS. OLIVER: Thank you. That brings us to you.

MR. D'APOLITO: For those keeping score, it's day 136. I want to make council aware that the Sherba property was annexed into the city by the Commissioner's Office last Thursday. We're waiting for the official transcripts and Resolution from the Commissioner's and after that certain things have to be done and the City Attorney is on top of it.

Friday, I went out to see the progress that has been made on the city clock. Mr. Oliver (Sam) has done incredible work with it. Apparently, we're still waiting to hear back from Big Ben to see if he can find the actual movement. The clock has been stripped down, painted many times, it looks fantastic. I'm hoping that, that happens successfully.

I want Council to be aware that I have been, for some time, working on our city website. Before I got here, I felt there were some updates that needed done. Also, a lot of things lead to dead ends. We're working on it with an outside firm that honestly, we're probably not going to be using much longer. We're probably going to be doing a lot of it internally. One of the things that I'm looking at is updating the City LOGO. Nothing dramatic. But I am looking at updating the City LOGO as well and I want to present that to you.

Yesterday, city employees participated in CPR Training in council chambers. All of Public Works and about 8 of us were certified in CPR Training.

Finally, I'm not sure if anyone is aware of this but on East Main Street, I don't know if anyone noticed but we have been on top of that for some time. We had a delay in getting the bids out because there was potential litigation that we were trying to resolve. Through our Atty, we put out a (inaudible) a very favorable agreement for the city. The bids went out yesterday and the opening will be May 29th. As part of the deal it would have to be done quickly after the bid is awarded. For anyone who hasn't noticed, the right lane leading out of town. You can cut over in the middle a little bit, I told the police to be lenient about that. That will be getting resolved, hopefully before the 4th of July.

MRS. OLIVER: Thank you.

ATTY. FORTUNATO: I would like to add to that. I had nothing to do with that other than the agreement. The City Manager did a wonderful job, in a difficult situation to avoid litigation, which is time consuming

and expensive, but also the pulling of the bond which by nature is difficult. We've done it before but it's complicated. So, to get out of that situation like we did, is a true credit to the City Manager.

MRS. OLIVER: Which I shared with Mr. D'Apolito, a shout-out thanking me for updating the residents. I saw there were a lot of complaints about it, which is understandable. I too, drive over to the left. I saw a thank you, also, our new City Manager, Mr. D'Apolito, so I did share that with him. I want to make sure that I give this correct information because I've had other people ask me when. So, the bids have to be in here by the 29th.

MR. D'APOLITO: That's when we will open them, at 10:00am.

MRS. OLIVER: After that, does it go before us to approve the person doing it?

ATTY. FORTUNATO: The engineer will look over the bids and recommend a lowest and best bidder. Council will have to pass legislation to award the contract.

MRS. OLIVER: That will most likely be our first meeting in June?

ATTY. FORTUNATO: I would think.

MRS. OLIVER: Then after that's passed, approximately? We're aiming to have that done for the 4th of July.

MR. D'APOLITO: The contract calls for 30 days. That's why we're hoping to have it done by the 4th.

MRS. OLIVER: Since we were addressing that, I did find that resident who wanted me to express this. Jim Kostelic said, great news, holding the company responsible. I had several people ask me, who was it? I didn't know that answer. I didn't say anything. He says, now maybe he can get the curbs fixed on Bradford Drive from when the waterline was replaced and the curbs sank. My yard has a dip in it because it keeps washing away. But over on Greenmont, they fixed all of the broken curbs. Why are we different on Bradford? He included pictures. He's on Bradford. I can look at up on the Auditor's site.

MR. D'APOLITO: I've spent more time on Bradford in my 136 days.

MRS. OLIVER: Jim Kostelic. K-o-s-t-e-l-i-c.

MR. D'APOLITO: Do you know an address?

MRS. OLIVER: No because that was on social media. He put that out there in response to the roads. Thank you. I did keep my word. I said, I would pass that along. Our City Attorney, Counselor Fortunato.

ATTY. FORTUNATO: No report.

Under **QUESTIONS on REPORTS:**

MRS. OLIVER: Any questions from Council:? Hearing none. Any questions from residents? Hearing none.

Under **RECOGNITION OF PERSONS DESIRING TO SPEAK BEFORE COUNCIL:**

CLERK: Mrs. Oliver, I have nobody on the list.

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

Under **NEW BUSINESS:**

ITEM A: An Ordinance Authorizing the City Manager to Enter Into An Agreement with MS Consultants, Inc. in the form attached hereto for Professional Services Related to the 2024 Street Improvement Project.

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. TIECHE: Second.

ROLL CALL ON MOTION:	4 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. DRAGISH: Second.

ROLL CALL ON MOTION:	4 Votes-Yes
	0 Votes-No
	Motion passes.

MR. TIECHE: Madam President, I have an Ordinance Authorizing the City Manager to Enter Into An Agreement with MS Consultants, Inc. in the form attached hereto for Professional Services Related to the 2024 Street Improvement Project. I move for passage.

MRS. OLIVER: Mr. D'Apolito would you like to elaborate on that for us?

MR. D'APOLITO: Regarding the pavement project for this year. There was a typo, we thought that Cross Street was included but at this time the streets are Oak Street, S. Hillside and Manor Hill. We did have a major investment in the Fairground Blvd project. We had a major contribution to that paving.

MRS. OLIVER: Do I have a second on that?

MR. GRAHAM: Second.

MR. TIECHE: We eliminated Cross Street. Is there sufficient money in our paving program, such that, if the E. Main Street Project comes in over what we've got allocated, that we can finish the project?

MR. D'APOLITO: I don't want to speak for our Finance Director but my understanding is doable currently. We don't know how the bids are going to come in.

MR. TIECHE: I understand. My concern is, if we got to make a choice on what streets, I'd say, 224 gets first out of any of these others. We need to have enough money to finish 224 and then if we got to cut Oak or S. Hillside or Manor Hill, we need to get 224 done first.

MR. D'APOLITO: Absolutely.

MR. TIECHE: Okay.

MR. D'APOLITO: The intent is for these to be in addition to.

MR. TIECHE: I understand.

MRS. OLIVER: Any other questions? Mr. Whitehouse any questions? Hearing none.

ROLL CALL ON ORDINANCE:	4 Votes-Yes
	0 Votes-No
	Ordinance passes.
	Ordinance 2024-14.

ITEM B: An Ordinance Affirming the Prohibition of Medical Marijuana Cultivation, Processors and Dispensaries with the City of Canfield.

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. TIECHE: Second.

ROLL CALL ON MOTION:	4 Votes-Yes
	0 Votes-No
	Motion passes.

ATTY. FORTUNATO: Before we go any further, whoever reads this delete the word Medical in the title. We made those changes throughout the Ordinance. We're affirming the city's position what was previously stated, the prohibition against cultivation, processing and dispensaries in the city because of the regulations that are a result of Issue 2, that passed last year, we need to restate our position. We are reaffirming the position that was previously stated, although that dealt with medical marijuana because that's all that was legal at the time. So, we're removing the word Medical and affirming that cultivating, processing and dispensaries of marijuana in the City of Canfield is illegal.

MR. D'APOLITO: Both Medical and Retail.

MRS. OLIVER: So, this will encompass all.

MR. TIECHE: Why are we not reading this in one reading as we did the last ordinance?

MR. D'APOLITO: That was my decision along with the City Attorney. I just thought we should give public the opportunity, if they wanted to be heard on it, to come in, for or against.

ATTY. FORTUNATO: I agree with that. Fundamentally, this was decided at the ballot box. I think it's reasonable to think that people might have an opinion that they might want to share. It's not an emergency. There is no need for one reading.

MR. TIECHE: Most of our Ordinances that have been brought before City Council, we've been passing in one reading. If the public was concerned about this issue, I would have thought that we would have had somebody up here, to express that, not knowing that we're going to do it in two readings. I understand what you're saying and if that's what everybody wants to do, I'll go along with it. My vote is going to be the same.

MR. D'APOLITO: I just thought people should have an opportunity to be heard, if they want to. They might not be aware of it until tonight's meeting. There really is no emergency. The law isn't even going into effect until probably June at the earliest; more likely, later in the summer. That's what I'm hearing from the news reports. I just thought it was fairer to discuss it, if they want to.

MR. TIECHE: That's fine. I just expressed my opinion.

ATTY. FORTUNATO: There aren't many amendments to our Ordinances that are (inaudible) this is one of them. The City Manager's request is reasonable.

MRS. OLIVER: Mr. Graham, will you read Letter B for me.

MR. GRAHAM: An Ordinance Affirming the Prohibition of Marijuana Cultivation, Processors and Dispensaries with the City of Canfield. This constitutes first reading.

Under **COUNCIL COMMENTS:**

MRS. OLIVER: Any Council Comments? Hearing none. Can I have a motion to adjourn.

MR. TIECHE: So, moved.

MR. DRAGISH: Second.

MRS. OLIVER: We are adjourned.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

