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CITY OF NORTH CANTON, OHIO
COMMITTEE OF THE WHOLE MEETING

**TRANSCRIPT OF
FEBRUARY 1, 2021, MEETING
VIRTUAL MEETING**

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Transcript of Proceedings of the North Canton
City Council, taken by me, the undersigned, Laurie Maryl
Jonas, a Registered Merit Reporter and Notary Public in
and for the State of Ohio, at North Canton, Ohio, on
Monday, February 1, 2021, at 7:00 p.m.

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1 APPEARANCES:

2 Daniel Jeff Peters, Council President, Ward 2
3 Daryl Revoldt, Council Vice President, At Large
4 Doug Foltz, Ward 1
5 Stephanie Werren, Ward 3
6 Dominic Fonte, Ward 4
7 Mark R. Cerreta, At Large
8 Matthew Stroia, At Large
9 Patrick A. DeOrio, Director of Administration
10 Jina Alaback, Director of Finance
11 Robert G. Graham, Engineering Services
12 Catherine A. Farina, Deputy Director of
13 Administration and Development
14 Stephan B. Wilder, Mayor
15 Benjamin R. Young, Clerk of Council

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1 MR. PETERS: At this time I'd like to call to
2 order the North Canton Committee of the Whole
3 meeting, February 1, 2021. 7 p.m. is the time.

4 Ben, would you please call the roll.

5 MR. YOUNG: Member Stroia.

6 MR. STROIA: Here.

7 MR. YOUNG: Member Revoldt.

8 MR. REVOLDT: Here.

9 MR. YOUNG: Member Peters.

10 MR. PETERS: Here.

11 MR. YOUNG: Member Fonte.

12 MR. FONTE: Here.

13 MR. YOUNG: Member Foltz.

14 MR. FOLTZ: Here.

15 MR. YOUNG: Member Cerreta.

16 MR. CERRETA: Here.

17 MR. YOUNG: And Member Werren.

18 MRS. WERREN: Here.

19 MR. YOUNG: Seven present.

20 MR. PETERS: All right. And we have the
21 entirety of this meeting is for Ordinance, Rules
22 Committee. Chairman Stroia, this is your meeting.

23 MR. STROIA: All right. Game on. Okay.
24 Where to start.

25 All right. So looking at the charter, we've,

1 Ben and I and some other people as well, have found a
2 couple things that we may want to consider, at least
3 talk about taking a second look at or at least
4 discussing tonight what we'd like to see changed in
5 those three things, if anything, and then you could
6 make a motion to change the charter to put something
7 on; that maybe there's a little committee we could
8 form, an ad hoc committee or something like that.

9 So let's look at -- there's three areas that
10 we've come up with so far. And if you guys think of
11 any other ones in the charter that you want to
12 address that you perhaps feel are perhaps outdated or
13 could be more efficient, now I guess would be the
14 time to do that. But the end of the year, I think
15 with the way Finance works, that clearly needs to be
16 looked at.

17 So if you guys would look at page 11 of your
18 charter, it discusses the duties of the director of
19 finance. And as you read through those, it's just
20 clearly outdated. And I think with the way that
21 throughout the years the way reports are filed, be it
22 electronically or whatever, or the more governance we
23 have on our accounting, there's different filing
24 dates for everything. Maybe -- maybe we need to
25 address this section and maybe not be more specific

1 but more adjustable. Something like that. So what
2 do you guys think of what's in the charter versus
3 what we could make it on that to maybe give Jina a
4 little more leverage. But I don't know if you guys
5 recall at the end of the year what we had to kind of
6 do to vote because we have that break where we can't
7 come back, we didn't come back, and there's things
8 that need to be done in the meantime.

9 If anybody wants to speak out about that, go
10 ahead. And, Ben, feel free to come in.

11 MR. REVOLDT: Ben? Ben, I'm not sure I
12 understand your question. Or your statement.

13 MR. STROIA: Well, like my -- I think the
14 problem is, and Jina, you may want to speak on this
15 as well. At the end of the year, the director of
16 finance has to do certain things. And we had to give
17 her the flexibility to do that where it's not really
18 especially written in the charter to do that.

19 MR. REVOLDT: Okay.

20 MR. YOUNG: If I may, I think Chairman Stroia
21 is referring to Point 2 on the potential points for
22 amendment.

23 MR. REVOLDT: Yes.

24 MR. STROIA: Yeah.

25 MR. YOUNG: So currently to balance the

1 budget at the end of the year, the director of
2 finance doesn't have that power. It's, by the
3 charter, vested in council. Now, council can
4 delegate their powers, but they may only do so on
5 nonemergency ordinances. But the problem is that the
6 director of finance, Jina, doesn't know the final
7 numbers to balance the budget until December 30,
8 December 31, while you guys are on break.

9 MR. FONTE: Was that a problem this year to
10 be able to have just another quick meeting to approve
11 it or was that too difficult? I'm trying to remember
12 now.

13 MR. YOUNG: So this year we -- what we did
14 was we passed a supplemental appropriation right
15 before you guys went on break that was as close as
16 our best possible guess to what a perfectly trued-up
17 budget will be. But it was not exact.

18 MR. REVOLDT: Yeah, I think -- here's the
19 problem: We were able to fix this, so let's think of
20 the end of the year. This is the period between,
21 say, December 24 and January 1. We were able to
22 address some of these issues because we were meeting
23 via Zoom.

24 MR. FONTE: Right.

25 MR. STROIA: Right.

1 MR. REVOLDT: Had we had to meet, it could
2 have been far more problematic because people travel
3 during the holidays and would have been out of town
4 and unavailable.

5 So what do we think? What do we think? Do
6 we think we ought to extend the authority of the
7 finance director to true the budget up into July --
8 or January? She'll have reconciled the budget in
9 January for the preceding year? What kind of
10 language would we take, Ben? Do you want to refer
11 people to the section of the charter?

12 MR. STROIA: Page 12.

13 MR. REVOLDT: Yep.

14 MR. YOUNG: Yes. So I personally, if I were
15 to try to come up with a solution for this, my best
16 recommendation would be to amend 305 to give the
17 finance director some sort of time-limited power to
18 make the appropriations necessary to balance the end
19 of the budget at the end of the year. So like from
20 December 25 to December 31 of each year, the director
21 of finance has the power to make such supplemental
22 appropriations as are necessary to true up the final
23 budget of that fiscal year.

24 MR. REVOLDT: Would you add a fifth clause?

25 MR. YOUNG: Yes. So it would be a fifth

1 clause of an additional power for the position.

2 MR. REVOLDT: Okay. All right.

3 MR. STROIA: That makes sense.

4 MR. FOLTZ: Yeah, this is Foltz.

5 Do we have an idea of what we did this year,
6 just to recap that? I mean, what did we have -- what
7 did Jina have to do, you know, to make this work? I
8 can look back myself, I guess, if I needed to. I
9 didn't know if you had it handy, Jina, or somebody.

10 MS. ALABACK: Well, so this year we put on,
11 the very last meeting before council took their
12 winter break, a supplemental ordinance that we
13 requested emergency approval for. So that was about
14 two and a half to three weeks before month end. And
15 just as a couple of examples, on December 28, the
16 federal government changed the rules on the CARES Act
17 money, but we already had to have it spent. I could
18 not amend our budget. Also on the 28th of December,
19 the BWC sent us a refund, but they took from that the
20 premium for the following year. So our budget
21 doesn't reflect any monies appropriated to pay that
22 premium but they automatically deducted it from us.
23 So that's something that our auditors are going to
24 have to reconcile because we couldn't amend our
25 budget at that point.

1 So there are some things that usually we
2 can't finish up or true up the budget until the final
3 payroll because there's all the holidays. We don't
4 know how much police and fire are going to work,
5 which causes overtime, which causes comp time, all
6 those other holiday pays, and so we usually wait
7 until after the last December payroll, which
8 sometimes could be on the 30th of December, 31st of
9 December. On the other hand, the Stark County
10 auditor needs it from us before the 1st of January,
11 so there's a really quick, short timeline in there.
12 I can never tell you what day that is, but it's in
13 the last half of the month.

14 MR. FONTE: Thank you.

15 MR. FOLTZ: Well, Jina, thanks for that. And
16 that's something that happens every year; right?
17 Unfortunately.

18 MS. ALABACK: Yes.

19 MR. FOLTZ: Okay. Is there a way that you
20 give us a recap the first working meeting in January
21 to show just the public what had to happen? Does
22 that make sense?

23 MS. ALABACK: Yes. I believe that's what we
24 did this year in the first. We added the true-up
25 budget to the minutes in January.

1 MR. FOLTZ: Okay. So it's happening
2 regardless, it's just a matter do we give you
3 authority to be -- to officially do it, you know, in
4 the time frame.

5 MS. ALABACK: Correct. And I wouldn't be
6 able to amend the budget above available resources,
7 you know, so you still have some limitations there
8 that restrict. I can't -- I can't just add in \$4
9 million unless we have that in revenue. You know,
10 it's literally just trueing up all the lines, maybe
11 moving between personal services to supplies if we
12 need to. All of those things that are at council's
13 legal-level authority in the budget.

14 MR. FOLTZ: Okay. Well, I appreciate that
15 explanation. Thank you. And the history.

16 MR. REVOLDT: Yeah. Hey, Jina, this is
17 Daryl.

18 I think what you're asking us to do, and
19 again, I'm trying to think of the language we might
20 want to use here. But what we're going to give you
21 the authority to do is to file all necessary reports
22 that are related to the end of your business but
23 officially close -- reconcile and close out the
24 previous fiscal year by a date in January; correct?

25 MS. ALABACK: Yes. I think that -- I think

1 the piece that we -- that didn't allow us to
2 authorize the finance director to make year-end
3 closing adjustments was because we can't do that
4 without the emergency clause.

5 MR. REVOLDT: Right.

6 MS. ALABACK: Right then. I believe that's
7 the piece. We could have a meeting, you know, a
8 quick meeting on the 30th, 31st if you want and do
9 the emergency clause, but we couldn't do that because
10 of that piece. And you can't delegate that authority
11 because it doesn't say that you can.

12 MR. REVOLDT: Well, I think the other problem
13 is this, and I come back this, it is a question of
14 logistics. You know, I don't know how you pull seven
15 people together during that week.

16 MS. ALABACK: Yeah.

17 MR. STROIA: On New Year's Eve.

18 MR. REVOLDT: Yeah. I still don't know how
19 to do it unless somebody's buying liquor, you know.

20 But again, I mean, you know, there are
21 businesses that, you know, carry their -- carry their
22 financial activity in -- I mean, they close, they
23 close up but they have their final reconciliation in
24 January, and that's really what we're giving you the
25 authority to do. To move such monies, et cetera,

1 for -- and we would just have to approve it then;
2 correct?

3 MS. ALABACK: Yes. The council would still
4 have to approve it, yeah.

5 MR. REVOLDT: Yeah. So we're going to
6 approve it. We're just going to give you the
7 authority to do it pending reconciliation at final
8 council approval of the previous year's budget
9 expenditures.

10 MR. CERRETA: Jina, what did they do over in
11 Louisville and some other communities? We're not the
12 only one that has this issue. What did they do?

13 MS. ALABACK: Absolutely not. And every
14 charter is different. So, you know, you're
15 restricted by Ohio Revised Code unless you're a
16 charter city. And literally every charter city is
17 different. So I believe in Louisville we would just
18 do -- the year-end appropriations would say authorize
19 the finance director to make year-end appropriations
20 and then I would add them to the minutes the first
21 meeting in January. So that they could see all those
22 line items and approve those in the minutes.

23 MR. REVOLDT: That's the motion.

24 MR. CERRETA: There you go. When do they
25 come back in January? I mean, right away?

1 MS. ALABACK: They -- yeah, they actually
2 don't take any breaks; right. Usually like holidays,
3 the Mondays in January, February, if those are
4 holidays they take off or reschedule, but they don't
5 have long breaks.

6 MR. YOUNG: So the reason we can't use a
7 similar system to Louisville is that our charter and
8 205 has a different provision that limit council from
9 delegating its authority in an emergency ordinance.
10 So council can only delegate its power in
11 nonemergency ordinances. But we're not ready for
12 end-of-year appropriations at the beginning of
13 November when you would have to introduce a
14 nonemergency ordinance.

15 MR. REVOLDT: I think what you're also
16 asking, Ben, is we don't do this -- we exempt this
17 from emergency approval. We only need to approve it
18 once; correct?

19 MR. YOUNG: Correct.

20 MR. REVOLDT: So there are really two parts:
21 We're going to reconcile -- authorize reconciliation,
22 adjustment reconciliation final report, and that
23 particular report does not have to be approved by
24 emergency. One reading. Does that square with state
25 law?

1 MS. ALABACK: The appropriation ordinance
2 would have to be approved by council.

3 MR. REVOLDT: Yes.

4 MS. ALABACK: And we balance and reconcile
5 every month, but appropriations is a completely --
6 5705, completely separate section of Ohio Revised
7 Code.

8 MR. YOUNG: So the power to appropriate is
9 council's. What we're really looking to do is give
10 the finance director a very limited, probably
11 time-locked, power to also appropriate for the sole
12 purpose of balancing the budget at the end of the
13 year.

14 MR. STROIA: Makes sense. Okay. We can work
15 on the language. My intention is not to put this
16 forward today, it's just to discuss it so we can work
17 on it.

18 MR. REVOLDT: Let's pitch some language.
19 Let's get some language together so we can consider
20 it in the future.

21 MR. STROIA: Yeah, that sounds good.

22 MR. CERRETA: Also, be aware that -- will
23 this hold up even if the worst of finance directors,
24 the worst of council, I'm sure they put this in place
25 not just for great finance directors and great

1 councils, but, you know, it's being able to be
2 handled for the community. So keep that in mind, not
3 just a one shot and done type of thing just so, you
4 know, these things can get carried through. So --

5 MR. REVOLDT: You know, Mark, I would remind
6 you that our councils are always superior to those in
7 Louisville.

8 MR. CERRETA: I didn't bring that up at all.

9 MR. PETERS: That is a great point, Mark. I
10 mean, we do have to look at worst-case scenario.

11 MR. YOUNG: And that's why I don't think any
12 of us would propose that the way to fix it would be
13 to remove the emergency limitation on council
14 delegating its power. We want to maintain that. And
15 while that would be an easy fix, it is an important
16 check on the worst possible council.

17 MR. PETERS: Okay.

18 MR. CERRETA: Play around with some words and
19 come back to us on that, Matt. I think we're all
20 kind of just sitting here. I don't have my charter
21 in front of me. I'm not like you; I don't carry it
22 in my back pocket every day so I don't have it in
23 front of me here. That's on me that I don't carry
24 it, but I'd like to look back to see exactly. Put
25 some words together and put it out in front of us and

1 see the changes that are, you know, kind of factual,
2 if that's okay.

3 MR. STROIA: That sounds good.

4 MR. CERRETA: We've got time; right?

5 MR. STROIA: Yeah. There's no hurry on this.
6 I mean, we have -- for this we have until the end of
7 next year, this year. So, I mean, plenty of time for
8 that.

9 MR. REVOLDT: Well, here's the thing is that
10 you've got -- you're going to have to go through
11 probably -- let's take this back. You would really
12 like to have this change done by the time we go to
13 spring break and authorized for the ballot in August.

14 MR. STROIA: Good point.

15 MR. DEORIO: You're not going to want to do
16 that in August and pay for a special election.

17 MR. REVOLDT: No, no, no. But you've got an
18 election coming up this year.

19 MR. DEORIO: In November.

20 MR. REVOLDT: Yeah. So you've got to get it
21 on the ballot. The deadline for it is in August.
22 The deadline is in August. So you want it on the
23 ballot in November so when the board of elections
24 does it you can roll it out in December and use it.

25 MR. CERRETA: That's good. We should be able

1 to do that.

2 MR. REVOLDT: We did this last year. And
3 again, what we're -- the other thing we're really
4 trying to do is, is to consider Zoom going away. And
5 the New Year's Eve council meeting. So what I would
6 recommend is that we try to get some language
7 together and get this back to us, Ben, and let's --
8 let's try to get it teed up for -- you know, we can
9 deliberate on it, but you really want it done by
10 June. And that's not that far off.

11 MR. CERRETA: Sounds good.

12 MR. STROIA: All right. All right. Well,
13 any other comments on this section?

14 MR. REVOLDT: No.

15 MR. FONTE: No.

16 MR. PETERS: I'm good.

17 MR. STROIA: Let's look to page 11 would be
18 the next one. And it's the organizational structure.
19 Ben, you can speak to this. You've got some good
20 points on this.

21 MR. YOUNG: Chairman Stroia's referring to
22 No. 1 on the possible points for amendment.

23 MR. STROIA: Yes.

24 MR. YOUNG: So this is not hampering our
25 function amendment so much as an accuracy amendment.

1 So I'd actually start on page 12 with Section 306,
2 Departments. Our charter says there that there shall
3 be a Department of Service and a Department of Safety
4 and it shall include -- and each of those shall
5 include those subdivisions. Well, since this charter
6 was written, various councils have, over the course
7 of time, raised most of these divisions to the rank
8 of department. Such that the Department of Service
9 has no divisions left in it and the Department of
10 Safety has Health and Sanitation and Welfare, but the
11 city doesn't currently run those ourselves anymore.
12 We contract those out with Stark County Health
13 Department and Stark County Welfare Services. So
14 this is more of a are we interested in having the
15 charter more accurately reflect our current
16 organizational structure. But as I said, it's not
17 actually hampering anyone's ability to effectively
18 perform their duty.

19 MR. STROIA: It just needs cleaned up.

20 MR. DEORIO: Honestly, if you ask me, I don't
21 know why it's even in there at all.

22 MR. STROIA: That's a good point.

23 MR. CERRETA: That's a good point.

24 MR. DEORIO: I don't know what 20 years from
25 now will bring, but I'm sure it will probably be

1 different than what we're doing today.

2 MR. CERRETA: Right. It's always going to be
3 changing, if that's the case.

4 MR. YOUNG: Yeah. So the simplest solution
5 may be just simplify it down to "as provided for by
6 ordinance."

7 MR. STROIA: That makes sense. That's good.

8 MR. FOLTZ: That's clean and simple.

9 MR. STROIA: Any other thoughts on that one?

10 MR. REVOLDT: Yeah. The other thing is this:
11 Is that, you know, as you look at some of that stuff,
12 you know, you know, what if we would ever find
13 ourselves in a situation where we would want to
14 outsource our services? So, you know, you may
15 want -- you may not want to have the departments
16 enumerated in your charter.

17 MR. DEORIO: I think that's what Ben was
18 saying. Just by ordinance.

19 MR. REVOLDT: As by ordinance.

20 MR. CERRETA: That would work.

21 MR. REVOLDT: Yeah, you get into a -- if we
22 ever find ourself in a horrible budget crisis, for
23 example, you don't want to mess around with the
24 charter. You want to be able to do it by ordinance.

25 MR. CERRETA: Everybody agree with that?

1 MR. FOLTZ: Yeah. That's fine.

2 MR. STROIA: Yeah.

3 MR. FOLTZ: As Mark said earlier, as long as,
4 Ben, if you have the availability to show us the
5 charter and the change you want to make and come back
6 with this later, even for the next discussion point,
7 I think that's going to be something we all could
8 utilize.

9 MR. YOUNG: Thanks. Yeah, I'll work with
10 Krugliak, and by the next council -- committee
11 meeting we'll have real language for you.

12 MR. FOLTZ: Right. Or whenever you're ready.
13 If it's not ready by then just somewhere in the near
14 future. Thank you, Ben.

15 MR. STROIA: All right. Let's move to the
16 last point. The third point is on -- I think, I
17 believe it's page 7. And it's the difference between
18 resolutions and ordinances. So I have a historical
19 question that I haven't asked yet. When did we start
20 voting on resolutions on like a three-reading basis?

21 MR. PETERS: We haven't done it that way
22 consistently. We've done it both ways, actually,
23 didn't we?

24 MR. STROIA: It seems like we did, yeah.

25 MR. DEORIO: I can remember when I served my

1 first two years on council it was "one and done" on
2 resolutions.

3 MR. FOLTZ: Yeah.

4 MR. PETERS: How did we start reading them
5 three times? I don't remember when that happened.

6 MR. FOLTZ: Jeff, I don't remember either, to
7 be honest.

8 MR. STROIA: I don't know. I mean --

9 MR. DEORIO: I think it had to do with the
10 legal interpretation of the charter.

11 MR. REVOLDT: Well, go to Section 205 on page
12 7. Last paragraph it says "Three readings on
13 resolutions."

14 MR. YOUNG: I believe it was part of either
15 the 2017 -- the 2017 amendment. That it added three
16 readings.

17 MR. REVOLDT: Maybe we ought to go back to
18 one.

19 MR. STROIA: That's what I say.

20 MR. FOLTZ: Okay.

21 MR. YOUNG: I would agree to going back to
22 one, but, having seen some of the things that
23 historically were passed on resolution and probably
24 should not have been, I would say that we should also
25 specify since they only need one reading they are

1 limited in what they can be used for.

2 MR. PETERS: Yeah, I would agree with that.

3 MR. REVOLDT: Why don't we specify that.

4 MR. YOUNG: In my research, generally what
5 I've found is that ordinances are meant to be
6 standing law. Something someone could theoretically
7 violate and therefore have committed a misdemeanor.
8 Resolutions are intended to be more of the statements
9 of opinion of council. So, for example, the
10 collective bargaining agreements. You guys' only
11 power is to say whether or not you like them. So
12 that would be a resolution because it's just council
13 declaring yes, we agree, or no, we disagree.

14 MR. STROIA: It's not enacting any
15 legislation.

16 MR. YOUNG: Yes. It's just an opinion of the
17 legislative body.

18 MR. FONTE: I've got a question. Is the
19 three readings causing us harm or helping us or
20 hurting us? I mean, is it making a big difference or
21 a minor difference.

22 MR. YOUNG: We get asked to approve things
23 by, for example, the county asked us to approve the
24 estimated tax, property tax rates, every year. They
25 tell us that that has to be a resolution because they

1 anticipate that resolutions are simpler to pass just
2 the legislative body stating this is our opinion.
3 But we, for the past several years, have had to add
4 an emergency clause to the standard resolution that
5 they provide us because, for our municipality,
6 resolutions have to be passed either on emergency or
7 with three readings.

8 MR. FONTE: Okay.

9 MR. YOUNG: So it's mostly things like that
10 where council's only power is approval and it takes
11 us longer than the people who are asking us for
12 approval anticipated.

13 MR. FONTE: So by adding an emergency we can
14 whip it through just as quick as we want.

15 MR. YOUNG: Yes. But that requires at least
16 six people to be able to attend the meeting. And
17 occasionally they give us a very small window of time
18 to approve this. So again, this is thinking about a
19 postCOVID era where we're all in person. If the
20 county gives us five days to approve it, then we have
21 to have six people in order to do that.

22 MR. FOLTZ: Right.

23 MR. FONTE: So it's just a matter of figuring
24 out what goes into the category of each.

25 MR. YOUNG: Correct.

1 MR. REVOLDT: Ben, why don't you whip up some
2 language that returns us to the old order and
3 specifies the type of -- the type of activity that
4 might be appropriate for a resolution and require one
5 reading.

6 MR. DEORIO: I might add that council might
7 want to include things of a ceremonial nature under
8 their resolutions.

9 MR. REVOLDT: Yeah. Expressions of opinion;
10 ceremonial; required concurrence with county or state
11 government. I mean, what would happen, seriously, if
12 we rejected one of those county -- those county --

13 MS. ALABACK: They wouldn't distribute the
14 property tax that they collect on our behalf for all
15 the levies.

16 MR. STROIA: Wow.

17 MS. ALABACK: We don't want to miss that one.

18 MR. REVOLDT: No, you don't.

19 MR. STROIA: Jeez.

20 MR. REVOLDT: No. So I think that really
21 sort of underscores why we don't want to putz around
22 with it.

23 You know, I think the other thing is this in
24 sort of practical terms, you know, what if you had
25 three sort of really anti-tax or four anti-tax

1 members of council that were mad at the county and
2 just wouldn't let the thing pass on emergency. You
3 know, what a nightmare that could be.

4 MR. STROIA: Yeah.

5 MR. REVOLDT: Think about it. Three separate
6 readings. You got the mayor's got to sign it and
7 then it doesn't -- let's assume the mayor doesn't
8 want to sign it because he's mad. So we get to wait
9 ten days and then it becomes law. But it's not
10 effective for 30 more days after that. You could go
11 weeks.

12 MAYOR WILDER: When is the last time council
13 had a resolution that they supported something? Can
14 you recall?

15 MR. STROIA: There were 11, 11 last year.
16 Six were on emergency.

17 MR. YOUNG: The most recent one, we just did
18 three, one for each of the police department
19 collective bargaining unit.

20 MAYOR WILDER: Okay.

21 MR. CERRETA: Let me ask you this, Matt: All
22 this stuff here. We have to go and put this on the
23 ballot; right?

24 MR. STROIA: Yes.

25 MR. CERRETA: To get this changed. What's it

1 cost us to put this on the ballot? Anybody know?
2 Jina?

3 MR. DEORIO: If it's part of the November
4 ballot, it's very little, if anything. Because
5 they're going to do the election anyway. I mean,
6 they charge us to set up poll locations, poll
7 workers, all that infrastructure that they have to
8 move ballots in and out is when they hit us with
9 that. So you're looking at -- and because we're a
10 nonpartisan political-affiliated entity we don't have
11 primaries. And about the only time we could get
12 something on a ballot in May is if there were a
13 municipal court position that was being primaried.
14 And then they would be setting up for those judges to
15 vote -- to vote on judges in North Canton. So it's
16 really rare to have something available unless, you
17 know, somebody else is doing something like, say, the
18 school was going to do a special levy, a special
19 election in February. We could dovetail into it, but
20 then we would end up splitting the cost with the
21 school.

22 MR. CERRETA: I know from doing school stuff
23 we had to pay to get things on the ballot. And this
24 wasn't cheap. And this stuff is like dust on the
25 picnic table. I mean, it can wait if that's the

1 case.

2 MR. STROIA: That was one of my concerns,
3 too. I agree with that, Mark. That was one of my
4 concerns because you don't want to spend money to
5 put, you know, semantics of the lists of departments
6 versus subdepartments. I mean, that's just silly.

7 MR. CERRETA: Yeah. I mean, we have other
8 things. We can easily forget about this stuff.
9 We're getting things running in a nice manner, but if
10 it doesn't cost of us anything, it's just some kind
11 of legislative thing --

12 MRS. WERREN: Right. What did we put on two
13 years ago and it passed pretty easily? What was that
14 in regard to?

15 MR. CERRETA: That was probably the charter
16 in itself, I believe.

17 MRS. WERREN: Yeah, I think you're right.
18 Yeah, we had made like five or six recommendations
19 and we weren't sure that people would read them but
20 they did in the past, yeah.

21 MR. CERRETA: At one point someone tried to
22 change the charter by having the mayor do a four-year
23 thing. That was back in '15 or '16.

24 MRS. WERREN: Yeah.

25 MR. CERRETA: So there are -- and you have to

1 get so many signatures to do that, and so on and so
2 forth, and there are, you know, attempts to do this
3 sort of thing. But if it doesn't cost us anything
4 this is great, but other than that, I wouldn't spend
5 too much money on changing three little things. And
6 that's just my opinion, though. Not trying to be --

7 MR. STROIA: I agree with that, Mark.

8 MRS. WERREN: Yeah.

9 MR. YOUNG: So I did, as Chairman Stroia had
10 asked me this, so I did look into it, there is a
11 small filing fee of -- to add something on an
12 election that's already happening. But there is a
13 possibility of it potentially being waived since we
14 are a political entity. I do not have final costs.
15 The final costs are also dependent on how long the
16 language is. The text of what we actually want to
17 appear on the ballot.

18 MR. CERRETA: Maybe we can find that out.

19 MR. STROIA: We'll do more research on that.

20 MR. CERRETA: Yeah, that's cool.

21 MR. STROIA: That's a good point. Yeah. I
22 don't want to spend money to fix the department
23 language. That doesn't make sense.

24 MR. CERRETA: If we get a whole bunch, if it
25 does, maybe we'll have a couple more in the next

1 couple years and we'll do a bunch at one time, but
2 we're how many years out? We're seven, six years out
3 from the actual charter review. So if we do have
4 things that need changed we could change them, and,
5 you know, but we should probably look at the whole
6 thing and get more than three little specks of dust
7 rather than, you know, pay for three things that I
8 don't think anybody's really losing any sleep over.

9 MR. REVOLDT: Let's -- let's remember where
10 this conversation began. We do have an issue that we
11 need to reconcile regarding finance.

12 MR. STROIA: Right.

13 MR. REVOLDT: So it does -- I think the costs
14 are absolutely nominal if it's on the November
15 ballot. Correct?

16 MR. DEORIO: Correct.

17 MR. STROIA: Yeah. We'll confirm that.

18 MR. CERRETA: We'll find out what "nominal"
19 is.

20 MR. STROIA: Yeah.

21 MR. REVOLDT: My recommendation would be
22 let's get that language cleaned up with the idea that
23 we'll have it done by late spring. We're comfortable
24 with it, we'll vote it and get it on the November
25 ballot in time for use by year's end. And we can

1 wrap anything else in we want. Same process. But
2 let's take care of the finance one. That's the one
3 we need to get after.

4 MR. PETERS: Yeah, I agree.

5 MR. STROIA: Yeah. Okay. Then the follow-up
6 on all this is how do we -- how do we want to proceed
7 with this? Do we want to name some people to review
8 this? I mean, I think it's kind of silly to do a
9 whole charter review on it, but it would also be nice
10 to have some public feedback as well.

11 MR. REVOLDT: Well, let's do this then: Let
12 me offer this suggestion. Why don't we get the
13 language squared away that we're all comfortable with
14 and why don't we hold a couple of public hearings
15 prior to our council meetings just like we would if
16 it was a zoning change or some other.

17 MR. PETERS: That's a good idea, Daryl. I
18 like that.

19 MR. REVOLDT: We'll see who wanders in the
20 door.

21 MR. CERRETA: Or it won't do any good.

22 MR. STROIA: Yeah.

23 MR. CERRETA: So let's get the costs. Let's
24 get the language, see where we're at. That sounds
25 like a good plan.

1 MRS. WERREN: Hey, Matt.

2 MR. STROIA: Yes.

3 MRS. WERREN: One thing I have thought of,
4 and I think -- I don't know if we tried to get it on
5 before or not, but you know how after you're elected
6 you have that next month and then we always have that
7 date that is like within three days of like
8 December 1 or whenever, and I feel like, I don't
9 know, like sometimes it's been on a Sunday, it just
10 has been strange. One time, I don't know, I felt
11 like it was a Friday night we were supposed to meet
12 and I don't know if there's a way you could say like
13 the first meeting in December or something like that.

14 MR. PETERS: Hey, Steph, you bring up a great
15 point because aren't we the only subdivision in the
16 county --

17 MRS. WERREN: That switches then. Yeah.

18 MR. STROIA: Yeah.

19 MR. PETERS: I remember, because didn't I
20 have to drive down to the board of elections to get
21 all of our certificates --

22 MRS. WERREN: Yeah.

23 MR. PETERS: -- of election before we could
24 be sworn in?

25 MRS. WERREN: Yes. And sometimes they

1 weren't ready. And they were, like, getting them.
2 Especially after last election. Remember? With the
3 recounts?

4 MR. PETERS: Yeah. That's right. That's
5 what put us behind.

6 MRS. WERREN: Yeah.

7 MS. ALABACK: I think that's the
8 organizational meeting, and I think you're right.
9 Normally it's within the first 10 or 15 days of the
10 calendar year for other entities.

11 MRS. WERREN: Okay. It just is so strange.
12 We've always had three, and I feel like we always
13 scramble. Or, you know, like it's an extra. I don't
14 know.

15 MR. CERRETA: Even if it's in the first two
16 weeks of December that gives you more time than the
17 first three days.

18 MRS. WERREN: Well, and then we could really
19 do it on one of the meeting nights.

20 MR. DEORIO: You guys, keep in mind that
21 organizational meeting is tied to your term of
22 office. That term of office starts December 1.

23 MR. PETERS: December 1. You're right, Pat.
24 Everybody else starts --

25 MR. DEORIO: January 1.

1 MR. PETERS: January 1. That's right.

2 MR. DEORIO: If that's something you wanted
3 to change, then I don't even know where that is, if
4 that's in the charter. It must be somewhere.

5 MR. YOUNG: Well, in the charter, technically
6 their term of office, until their replacement is
7 sworn in, and then the charter was amended in 1980 to
8 include the organizational meeting will take place in
9 the first three days of December. And as a history
10 fun fact, our very own Daryl Revoldt was actually the
11 first ever councilperson sworn in in December.

12 MR. CERRETA: That explains it.

13 MR. REVOLDT: I'd also add in it was under a
14 full moon.

15 MRS. WERREN: Well, could we do something
16 where it's like the first meeting or first -- I don't
17 know.

18 MR. STROIA: I'm trying to find that section.
19 Do you know -- does anyone know that section?

20 MRS. WERREN: Daryl?

21 MR. CERRETA: The one said until the one is
22 replaced. So why was it replaced? Maybe the
23 president was leaving and he didn't want to schedule
24 a meeting.

25 MRS. WERREN: Yeah. And then so I wonder why

1 we are the only one? Why are we the only one that
2 replaces in December as opposed to January 1?

3 MR. REVOLDT: Here's the reason for that,
4 Stephanie. That's a great question. Remember that
5 we have a separation of power and we have got in the
6 habit of getting these budgets done relatively early.

7 MRS. WERREN: Right.

8 MR. REVOLDT: But we've also had councils
9 where we've had to adopt a temporary budget and the
10 final was adopted into the next term. This whole
11 idea was that you couldn't have -- you wanted to have
12 your council help set your budget in December if
13 there was a problem. That was really the issue.

14 MR. PETERS: Okay.

15 MR. REVOLDT: It was a budget control issue.
16 I don't think I've said this very well, but that's
17 really what it's all about. Is to give the new
18 council control of the budget before the year starts.
19 It's --

20 MRS. WERREN: So I guess it brings up a
21 question, do council have control of the budget when
22 they have been in the office yet but a week or two?

23 MR. REVOLDT: Well, that's -- you know,
24 that's -- that's the open question, I guess. But,
25 you know, you could have -- you could have a

1 situation where the town's up in arms because you've
2 had a profligate council that's spending money left
3 and right and they kick everybody out and the new
4 guys come in and get control.

5 MR. PETERS: At the end of the day, what
6 you're doing is the mayor is submitting a budget to
7 council to approve but nothing really is spent.

8 MR. REVOLDT: That's right, yeah.

9 MR. PETERS: Until --

10 MR. REVOLDT: You might have a new mayor.
11 You know, the old mayor gets tossed.

12 MR. PETERS: Right.

13 MS. ALABACK: The third reading of the budget
14 is at the end of November so that it's effective 34
15 days.

16 MRS. WERREN: That really doesn't make sense
17 then. The budget is already done.

18 MR. YOUNG: And we really shouldn't carry
19 legislation over to a new council because it is a new
20 council.

21 MR. CERRETA: Right. Right. Right. That's
22 starting to make sense.

23 MR. PETERS: Well, maybe that's something we
24 look at; that we come more in line with everybody
25 else in the county.

1 MRS. WERREN: Yeah. Yeah.

2 MR. REVOLDT: Just make it the first five
3 days so you can get in. You don't make it the first
4 seven and you're in and you're sworn in, you don't
5 have to worry about getting sworn in on January 1.
6 You're just in.

7 MR. FOLTZ: Yeah, Daryl, I agree. I think if
8 it's five days or whatever, it's not three, that
9 gives us some flexibility.

10 MR. PETERS: Right.

11 MRS. WERREN: Could we read it to the first
12 meeting, I guess, then?

13 MR. REVOLDT: Well, you won't have a first
14 meeting in the first seven days.

15 MRS. WERREN: Right. You said five.

16 MR. YOUNG: You can simplify it to the first
17 Monday of December or something like that.

18 MR. REVOLDT: Yeah, there you go.

19 MR. DEORIO: And that's -- your
20 organizational meeting has nothing to do with being
21 sworn in. You can be sworn in at any time. You
22 don't have to be sworn in on that day at that place.
23 I got sworn in four days before the organizational
24 meeting. The oath of office just has to be
25 administered by somebody. It doesn't have to be

1 January 1. It could be December 28. If you guys --
2 or any other date as long as you're sworn in before
3 you go to have your first meeting.

4 MR. PETERS: The requirement is, Pat, you
5 have to have in hand the certificate of elections
6 from the board of elections; correct?

7 MR. DEORIO: Yes, sir. You have to have the
8 certificate of elections. That has nothing to do
9 with being sworn in.

10 MRS. WERREN: So could you theoretically be
11 sworn in, I don't know, on January 6 right before the
12 council meeting starts?

13 MR. DEORIO: Yeah, you can.

14 MRS. WERREN: Okay.

15 MR. DEORIO: Yeah. And back in the era when
16 I got on, there was, you know, a concern that, you
17 know, you know, in -- just in the three days,
18 December 1, 2, 3, gosh, you know, what happens if
19 there's a catastrophic event on December 1 and you're
20 having the organizational meeting December 3. You've
21 got -- you don't have new council members in. What
22 if they're not sworn in? What if you wait and do
23 that ceremonial thing and have the judge come in on
24 December 3. So you may need to take action
25 December 1. So, you know, a number of us did that,

1 got sworn in before December 1 so in the event that
2 something happened on December 1 and a meeting was
3 called, this chaos of who was sworn in, who wasn't
4 sworn in, we've already been sworn in.

5 If you stretch that period out, you increase,
6 you know, the timeline that something could happen in
7 that -- in that window. That's why most places it
8 all happens on the same day. January 1 is when their
9 term starts, they're sworn in and they just start
10 January 1. Whenever their first meeting is doesn't
11 matter. They're sworn in, their term of office
12 starts January 1. You could meet January 8 but
13 you're sworn in December 31. Your term starts
14 January 1. You're an official member of council
15 January 1. If an emergency pops up on January 2, you
16 are legally authorized to meet and vote and handle
17 things. But your first meeting normally wouldn't be
18 until January 8 or whatever.

19 It would be nice if the city could get on to
20 the program that everybody else in the county, in
21 Ohio, in the nation, were on.

22 MR. PETERS: I agree. But then, Pat, we'd
23 have to extend the term limits to December 31.
24 Instead of November 30.

25 MR. CERRETA: Yeah.

1 MR. DEORIO: That's where that part about
2 what you had before, about you shall serve until your
3 successor was named, how that was really pretty
4 smart, originally, when that was in there. You may
5 not be able to do it just because of that, Doug.
6 That's a good point.

7 MRS. WERREN: Why couldn't we do what
8 everyone else is doing. Somehow they figured it out.

9 MR. PETERS: No.

10 MR. FOLTZ: No. Because those people are
11 still council members until December 31 because their
12 term is up December 31.

13 MRS. WERREN: Oh, I see.

14 MR. FOLTZ: We run on that term limit
15 language. You know, to me, I've always felt it's
16 kind of unique we do it December 1 because we're the
17 only ones getting, you know, sworn in or having an
18 organizational meeting at that time. I think it's
19 unique to North Canton. I'd rather have it December
20 1, me, this past, whatever, 13 terms than January,
21 coming in in January doing something ceremonial and
22 having a meeting later, that's just me. I think it
23 works what we do. It's just the hastiness of having
24 to have a meeting within three days and how that
25 works out.

1 MRS. WERREN: Yeah, that was kind of crazy.
2 But I like the idea of the Monday, or going with,
3 yeah, what everybody else is doing, but if that's too
4 cumbersome. I mean, we could certainly do it. Okay.
5 Well, something to think about.

6 MR. STROIA: Yeah. Absolutely.

7 MR. CERRETA: That was a good point.

8 MR. REVOLDT: Just, you know, Pat's -- Pat's
9 touched on something again, we just, as we talk about
10 this, we really want to make sure we understand that,
11 and let me give you another example in a minute, but
12 you really want to make sure that people are -- we
13 define the date you take office. You can be sworn in
14 prior to that, you can organize any time after that.
15 But remember under our charter, too, that we have a
16 clear line of succession. So let's say you have a
17 mayor, you don't -- you want to make sure that you've
18 got a president of council sworn in, because if
19 something would happen to your mayor, for whatever
20 reason become incapacitated, somebody you can kick
21 upstairs. Now, having said that, having said that,
22 the charter also does say that in the absence of the
23 mayor the director of administration shall serve.

24 MR. PETERS: Right.

25 MR. REVOLDT: Oh, well, enough. Enough. All

1 good points, Matt.

2 MR. STROIA: Thank you, everybody.
3 Appreciate it. Well, let's work on the language and
4 we'll bring it back at a future meeting again.

5 MR. REVOLDT: Okay.

6 MR. PETERS: All right. Sounds good. All
7 right. Anything else, Chairman?

8 MR. STROIA: I'm all set, I think. As long
9 as you guys are. I think that's -- I appreciate
10 everybody's time there.

11 MR. PETERS: Okay. Pat? Daryl? Anybody
12 else? Any comments?

13 MR. DEORIO: No.

14 MR. PETERS: All right, guys. I appreciate
15 it. Well, that concludes our agenda so I'll
16 entertain a motion to adjourn.

17 MRS. WERREN: So move. Warren.

18 MR. STROIA: Second. Stroia.

19 MR. PETERS: All in favor, say "aye."

20 ("Aye" in unison.)

21 MR. PETERS: Opposed? We are adjourned.
22 Everyone have a great evening.

23 - - - - -

24 (Meeting adjourned at 7:50 p.m.)

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Attest:


Benjamin R. Young
Clerk of Council

Daniel Jeff Peters
City Council President

CERTIFICATE

STATE OF OHIO)
)SS
STARK COUNTY)

I, Laurie Maryl Jonas, a Registered Merit Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that this meeting was by me reduced to Stenotype and afterwards prepared and produced by means of Computer-Aided Transcription, and that the foregoing is a true and correct transcription.

I further certify that this meeting was taken at the time and place in the foregoing caption specified.

I further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in the event of this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, on this 10th day of February, 2021.

Laurie Maryl Jonas

Laurie Maryl Jonas, RMR & Notary Public.
My commission expires January 6, 2022.