

NORTH CANTON, OHIO
CHARTER ADVISORY BOARD

TRANSCRIPT OF
FEBRUARY 14, 2022, MEETING

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Transcript of Proceedings of the North Canton
Charter Advisory Board, at the North Canton Civic Center,
845 West Maple Street, North Canton, Ohio, on Monday,
February 14, 2022, at 5:00 p.m.

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APPEARANCES:

- Benjamin R. Young, Chairperson
- Miriam Baughman, Vice Chairperson
- Jina E. Alaback, Member
- Ronald Feltz, Member
- Kristina Hostetler, Member
- Charlie Grandjean, Member

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1 MR. YOUNG: All right. I will now call to
2 order the charter advisory board meeting on Friday,
3 February -- or Monday, February 14, 2022, at 5 p.m.

4 I'll call the roll.

5 Member Young, here.

6 Member Alaback.

7 MS. HOSTETLER: Here.

8 MR. YOUNG: Member Baughman.

9 MS. BAUGHMAN: Here.

10 MR. YOUNG: Member Hostetler.

11 MS. HOSTETLER: Here.

12 MR. YOUNG: Member Feltz.

13 MR. FELTZ: Here.

14 MR. YOUNG: Member Grandjean.

15 MR. GRANDJEAN: Here.

16 MR. YOUNG: And Member Feltman -- Fettman is
17 stuck at work. I move to excuse Member Fettman. Is
18 there a second?

19 MS. HOSTETLER: Second.

20 MR. YOUNG: All in favor, say "aye."

21 ("Aye" in unison.)

22 MR. YOUNG: All opposed? He's excused.

23 All right. Approval of minutes. May I have
24 a motion and a second to approve the minutes from
25 January --

1 MR. FELTZ: So moved.

2 MR. YOUNG: Good enough. Is there a second?

3 MS. ALABACK: Second.

4 MR. YOUNG: All in favor, say "aye."

5 ("Aye" in unison.)

6 MR. YOUNG: Opposed? Motion carries.

7 All right. At this time, members of the
8 public wishing to address the board may do so. Each
9 speaker will be granted five minutes. As a reminder,
10 the rules are on the screen and topics must be
11 limited to those items on the agenda.

12 All right. Seeing none, we'll move on.

13 Okay. Our first amendment for our
14 consideration this evening is to Section 2.01,
15 Paragraph 3, which would alter the term of elected
16 officials from two years to four-year staggered
17 terms. This is one of the ones I collected
18 beforehand and it was also submitted by a member of
19 the public during our public submission phase. I
20 received this suggestion from a number of different
21 elected and public officials, and the idea is that
22 elected officials will stay around longer and there's
23 no risk of losing everybody all at one time. So I'll
24 open the floor.

25 MS. ALABACK: Ben, do we need a transition

1 term to go from the current December to November to a
2 calendar year? How do we get from that forward?

3 MR. YOUNG: Yeah. So ultimately how it would
4 be written, which anything that we approve tonight
5 I'll work with Krugliak to get written drafts for our
6 April meeting. So we would have to do some sort of
7 transition. So, for example, this next election in
8 '23, let's say the wards would still be elected for
9 two years but then at-large and the mayor would be
10 four years, and then two years later the wards would
11 be elected for four years and then everybody is off
12 and running on their staggered term.

13 MS. ALABACK: And it would have to be maybe a
14 four-year from December through December instead
15 of -- for the first one, do you know what I'm saying?
16 Right now they start December through November.

17 MR. YOUNG: Yeah.

18 MS. ALABACK: So it would have to start
19 December through the following two years December.

20 MR. YOUNG: Yes.

21 MS. ALABACK: So that we're back on a
22 calendar year then; right?

23 MR. YOUNG: Assuming we don't, in the next
24 amendments, change the year, yes.

25 MS. ALABACK: Right. Because we're

1 suggesting that we start the terms --

2 MR. YOUNG: January.

3 MS. ALABACK: -- in line with the calendar
4 year.

5 MR. YOUNG: Right.

6 MS. ALABACK: Okay. Is that just something
7 that Krugliak will write into an ordinance for us or
8 does that have to be -- that transition year need to
9 be --

10 MR. YOUNG: So when I looked at other
11 municipalities, it's typically written into the
12 charter that says something along the lines that at
13 the next following municipal election this will
14 happen, then after that this will happen.

15 MS. ALABACK: And it would be the same for
16 the mayor then, that Section 3.01?

17 MR. YOUNG: Yeah. So Section 3.01, unlike
18 most other city charters, we have the term lengths
19 written in two different places. So Section 3.01 is
20 where we would have to change the same thing for the
21 mayor. But because it's just one person, and
22 assuming we make them, the mayor, the four-year term
23 off the bat, it will be much simpler to just say, in
24 that section, at the next municipal election the
25 mayor will serve for a four-year term.

1 Anybody concerned about this amendment? Any
2 opposition?

3 All right. Then I will make a motion that we
4 move forward with this proposed amendment and have a
5 draft at our April meeting.

6 MR. FELTZ: Second.

7 MR. YOUNG: All in favor?

8 ("Aye" in unison.)

9 MR. YOUNG: Opposed? Motion carries.

10 Okay. Our second amendment is also to
11 Section 2.01. Paragraph 3 and 4. And as we briefly
12 just touched on this, it would be to change the term
13 start from December to January. So currently our
14 elected officials start December 1 and then their
15 term ends November 30, so this would move it to start
16 January 1, end December 31. It is -- the current way
17 exists because in 1980 they passed a charter
18 amendment to make it this way. And from what I have
19 been told by the people I could talk to that were
20 there at the time, they said it had something to do
21 with the budget and wanting the incoming council to
22 have the opportunity to mess with the budget before
23 it was finalized.

24 MS. ALABACK: Our budget is finalized in
25 October now. Must have been a different process.

1 MR. YOUNG: Yeah, but that's not --

2 MS. BAUGHMAN: They didn't keep up with the
3 changes. And they changed one thing, they didn't
4 change the other thing.

5 MR. YOUNG: From the same point of my
6 position and what I do, this will make, you know,
7 keeping track of council slightly easier. And then I
8 don't know how many of you remember, but three years
9 ago now when Mr. Metheney and Mr. Peters ran against
10 each another in Ward 2, they were so close we had to
11 have a recount. And we didn't actually know if the
12 board of elections would certify the results before
13 that December 1 start date because of that recount.
14 So this December kind of really limits us and makes
15 us at risk of things like that happening.

16 MS. HOSTETLER: And then would this go into
17 effect this next calendar year, I guess, as far as
18 how it would be written?

19 MR. YOUNG: Yeah. So it would be along the
20 same lines of, At the next municipal election, terms
21 will begin January 1, which means the people
22 currently elected will serve one extra month.

23 MS. HOSTETLER: All right.

24 MS. BAUGHMAN: If the voters okay it.

25 MR. YOUNG: If the voters okay it, yes.

1 Everything we talk about tonight will have to go to a
2 general election and be approved by.

3 Any other comments? Then I will move to
4 approve this amendment.

5 MR. FELTZ: Second.

6 MR. YOUNG: All in favor?

7 ("Aye" in unison.)

8 MR. YOUNG: Opposed? Motion carries.

9 Our third amendment is also to Section 2.01,
10 this time Paragraph 4, and this is to change the
11 organizational meeting date of council. So the
12 organizational meeting is the meeting where council
13 elects their president and vice president. Currently
14 our charter says that it's in the first three days of
15 December. So this is actually, I will admit, one
16 that I put in here. I put this in because this past
17 year we actually had trouble scheduling the first
18 three days because at least one of the eight elected
19 officials had already planned something on all three
20 of the first three days of December. So somebody
21 ultimately ended up giving in and canceling
22 something. But so my thinking in putting this in is
23 this way it is a set date that you know before you
24 even pull a petition to run for election and so you
25 should have no excuse of "Oh, I scheduled something

1 over it" when you're being sworn in.

2 MS. HOSTETLER: My only comment to this is
3 just if the first Monday happens to be January 1, so
4 I would just comment "the first working Monday" to
5 avoid that particular situation. Or whatever the
6 first following workday. So in that case it could be
7 January 2 if January, you know. So if January 1
8 happens to fall on a Monday, and given that that's a
9 citywide holiday anyway, so I guess I just want it to
10 be worded to recognize that that could be a
11 situation.

12 MS. ALABACK: I agree. I think most of the
13 times you'll see it's just stated it's within the
14 first 15 days of the month. So you have to have your
15 organizational meeting by January 15, and usually it
16 is the first regular Monday meeting. So I don't know
17 if we can just restate that somehow.

18 MS. BAUGHMAN: All you need to do is change
19 December to January.

20 MS. HOSTETLER: I think Ben's point is just
21 that he would like -- he wants it narrowed so it
22 specifically says that it is very clear what day.
23 It's to avoid what just happened this past year, when
24 everybody could possibly have something going on
25 within any of those first days, if that's what I'm

1 understanding.

2 MR. YOUNG: Yeah.

3 MS. HOSTETLER: So to make it very perfectly
4 simple what day it would be.

5 MS. ALABACK: So we could say the first
6 regular city council meeting or no later than
7 January 15, and it would cover both sides.

8 MR. YOUNG: Yeah. Okay.

9 All right. Well, I will, if there are no
10 further comments, I'll move to approve this proposed
11 amendment as with the suggested stipulation that we
12 change it to "on or before the first regular city
13 council meeting, provided that such meeting shall not
14 take place after January 15."

15 MS. ALABACK: Shall occur by January 15.

16 MR. YOUNG: Shall occur by.

17 MS. ALABACK: Too many words. Less words
18 works. I will second that with the amendments in
19 place.

20 MR. YOUNG: Okay. All in favor?

21 ("Aye" in unison.)

22 MR. YOUNG: Opposed? Motion carries.

23 All right. Third amendment, Section 2.04,
24 Paragraphs 3 and 4. I will again admit that this is
25 one submitted by me. Right now this section requires

1 that whenever council calls a special council
2 meeting, whoever holds my position physically serves
3 these councilpeople notice. I put this in because
4 we've technologically moved forward past that. So we
5 give all the city council members e-mails, we give
6 all of them cell phones. There are other ways that I
7 can make sure that they know this meeting is
8 happening beyond showing up at their front door and
9 handing them a piece of paper. So the proposal I've
10 submitted is to amend Paragraph 3 to replace
11 "in-person delivery" with "a city-provided means of
12 communication."

13 And then Paragraph 4 talks about waiving the
14 requirement for a notice so each council member can
15 individually say no, you don't have to tell me. I
16 would actually propose that we just remove that
17 paragraph altogether. So whoever is in my position
18 has to tell council no matter what, but it doesn't
19 have to be in person anymore. That could be, you
20 know, send you all an e-mail.

21 MS. HOSTETLER: Could that statement sentence
22 in Paragraph 3 simply just read, The clerk of council
23 shall cause the written notice to be served, period?

24 MR. YOUNG: Yeah.

25 MS. HOSTETLER: So then it isn't specific as

1 to what means and it stays evergreen and whatever the
2 technology is, if it's through, like, brain waves or
3 whatever, then they have received it.

4 MR. YOUNG: Yeah. It's probably a much
5 simpler way to go about this. And you, as you say,
6 prevent this from happening again when e-mail
7 inevitably becomes obsolete.

8 MS. HOSTETLER: TikTok video.

9 MR. GRANDJEAN: Let's hope not.

10 MR. YOUNG: Well, I will move the approval of
11 this amendment as proposed by Member Hostetler. Is
12 there a second?

13 MS. ALABACK: Second.

14 MR. YOUNG: All in favor?

15 ("Aye" in unison.)

16 MR. YOUNG: Opposed? Motion carries.

17 MS. BAUGHMAN: And that included taking out
18 the one paragraph; right?

19 MR. YOUNG: Yes. So Paragraph 4 will be
20 removed so that whoever the clerk is must tell
21 council no matter what.

22 Next, Section 2.05, Paragraph 5. So buried
23 in the middle of this paragraph is the word "regular"
24 in relation to the reading of legislation. So it
25 says "shall be fully and distinctly read at three

1 different regular council meetings unless council
2 votes to suspend this rule." There's another
3 provision of the charter that talks about special
4 meetings and how special meetings can be called. So
5 the concern that was expressed to me by the person
6 who submitted this was that somebody could try to
7 construe that provision that you can't actually
8 consider legislation at a special meeting. So their
9 suggestion is to strike the word "regular" so it
10 would read "shall be fully and distinctly read at
11 three different council meetings unless council votes
12 to suspend this rule."

13 Comments? Concerns? Is there a motion to
14 approve this amendment?

15 MS. ALABACK: So moved.

16 MR. YOUNG: Is there a second?

17 MS. HOSTETLER: Second.

18 MR. YOUNG: All in favor, say "aye."

19 ("Aye" in unison.)

20 MR. YOUNG: Opposed? Motion carries.

21 MS. ALABACK: Ben, I know this is not on the
22 table, but can we go back up to the one right before
23 that? On page 7 at the top, we have another part of
24 that Paragraph 3 that says "written notice," so
25 whenever we're talking about removing the interim --

1 in-person or home delivery, there's still reference
2 to a written notice for special meetings. Do we need
3 to also amend that?

4 MR. YOUNG: Well, as I understood what
5 Kristina was suggesting was that the new section
6 would read, The clerk shall cause written notice to
7 be served, scratching all that, not -- to council
8 members not less than 24 hours preceding the time of
9 the meeting, stop, end of paragraph.

10 MS. HOSTETLER: So written notice still
11 remains in the -- the original part of the paragraph,
12 it just isn't meting out the specific vehicle by
13 which that written notice gets delivered.

14 MS. ALABACK: Okay. Okay. I understand
15 that. That makes sense. Thank you.

16 MR. YOUNG: Okay. Next is also Section 2.05,
17 Paragraph A, and this is to specify distinct
18 differences between ordinance and resolutions, limit
19 what resolutions can be used for and then allow
20 resolutions to pass more quickly.

21 So as I put in your packets, this is kind of
22 modeled off of what Louisville does. And the reason
23 this specific amendment came up is we did police
24 contract negotiations two years ago now, I think.
25 And council must, by resolution, say whether they

1 agree with the contract that has been approved by the
2 mayor or not. Under our current charter, resolutions
3 are subject to mayoral veto. So theoretically the
4 council could say no, we don't like this contract,
5 and the mayor, who negotiated the contract, could
6 veto them saying no and basically say I don't care
7 that you said no. And then presuming that he can't
8 convince somebody to come to his side and vote for
9 it, you're now stuck in this sort of head to head,
10 you know, council's voting no and the mayor is saying
11 I don't care that you voted no.

12 MS. ALABACK: That didn't happen, for the
13 record.

14 MR. YOUNG: It did not happen, no. That's a
15 purely hypothetical worst-case scenario.

16 MS. HOSTETLER: I'm all for defining words to
17 make this charter a lot more accessible for our
18 residents. And I guess, if anything, I would want it
19 to be defined starting in Paragraph 3 where we first
20 mention all legislative action of council shall be by
21 resolution or ordinance introduced in written or
22 printed form. At the end of that sentence is where I
23 would like to see where a resolution is defined as,
24 et cetera, an ordinance is defined as this, that, and
25 the other. Like, I guess the first time we hear

1 those two words, that's where I would want it
2 defined, along with whatever the rules are that guide
3 how those are to be used. Because that seems to set
4 the stage for then the rest of the legislative
5 procedure. Because as it's currently written, it
6 does make a presumption that whoever is reading this
7 immediately understands what a resolution is and what
8 an ordinance is, and I personally don't know what the
9 difference is so --

10 MR. YOUNG: That is fair.

11 MR. GRANDJEAN: Good point.

12 MR. YOUNG: Then to achieve that goal, what I
13 would honestly say is that that -- then we would
14 effectively move Paragraph 5 up to become Paragraph
15 2. Although Paragraph 5 gets very into, you know,
16 voting and things like that and Paragraph 2 is still
17 sort of general provisions for the legislative
18 process.

19 MR. FELTZ: Do we have a defined difference
20 between an ordinance and a resolution?

21 MR. YOUNG: Currently not defined.

22 MR. FELTZ: Then it would be -- you could put
23 it in there just to get around something. If we
24 don't have a defined what's a resolution, what's the
25 ordinance. Everything needs to be defined or you

1 could just put in whatever category you want to
2 sidestep something, which shouldn't be allowed.

3 MS. ALABACK: Typically ordinances are
4 permanent in nature. They set a policy or a rule,
5 something that has to be acted on. So it is subject
6 to public hearing. Where a resolution is more we
7 agree with let's make this national Ben Young Day, or
8 we agree with the police union contract negotiations,
9 or, you know, resolution is just more to say we've
10 resolved this, basically, where an ordinance goes
11 through the process.

12 My only suggestion on ordinances is can we
13 have any discussion on reducing three readings.
14 Because everything goes to committee, then a week
15 later it goes to council for first reading, then two
16 weeks later it goes to council for second reading,
17 and then two weeks later it goes to council for three
18 readings, and then 30 days after that it's effective.
19 So it takes six to eight weeks to get there. Or it
20 takes six to ten weeks to get anything done. It's
21 very frustrating sometimes. Two readings I would
22 think would be sufficient, plus committee. It's
23 introduced at committee, we still have two readings,
24 it would still be a total of four to six weeks.
25 These are all ordinances.

1 Resolutions are one and done. That's really
2 the procedural difference between resolutions and
3 ordinances.

4 MS. HOSTETLER: So I feel like I would want
5 to look at the transcript of everything that
6 Miss Alaback just said and literally put those words
7 into, like, fit that into this charter to define
8 exactly what she said as far as an ordinance is more
9 permanent and requires, you know, X many readings,
10 whereas a resolution is not, or whatever the
11 transcript, you know, says, you know, with being
12 cleaned up and that would be into all of that.
13 Because that's what, I mean, just to make this much
14 more readable and easy to --

15 MR. YOUNG: So it almost sounds like we'd be
16 more interested in rewriting the entirety of Section
17 2.05 instead of trying to do this on a --

18 MS. BAUGHMAN: I think the reason you have
19 more than one reading is to give the public a chance
20 to weigh in.

21 MS. ALABACK: Oh, I would agree that we need
22 more than one, but why three?

23 MS. BAUGHMAN: I think there's state code
24 that states to that.

25 MS. ALABACK: No. And most cities don't do

1 three readings. It's excessive.

2 MR. GRANDJEAN: It seems excessive, three
3 readings.

4 MS. HOSTETLER: Is there any data or, like,
5 what do our neighboring cities and townships do? Is
6 there anything to go on based on that as far as what
7 our --

8 MS. BAUGHMAN: Our sister cities. That's
9 usually what we look at, our four sister cities.

10 MS. ALABACK: I could find that out and I
11 could tell you what a few of them do, like three, but
12 those may not be in line with what you compared to.

13 MR. YOUNG: Yeah. I don't know, you know,
14 off the top of my head, many other cities and what
15 their internal processes are. I do know that part of
16 what Jina is describing is our sort of unique
17 committee system, so I do know off the top of my head
18 the committee system as established by council's
19 rules is very unique to us.

20 MS. ALABACK: There's that also.

21 MR. YOUNG: There aren't really any other
22 cities that do it this way.

23 MS. HOSTETLER: Is there any background or
24 like what, what --

25 MS. ALABACK: Most councils assign two or

1 three or whatever is not a quorum, so here it would
2 be under four, to a committee. So our committees we
3 have ordinance and rules, we have personnel, we have
4 finance, we have all those different committees,
5 parks and recreation, all the different committees
6 and there's two councilpeople on each committee, but
7 those committees never meet.

8 MR. YOUNG: All seven are on all seven
9 committees.

10 MS. ALABACK: All seven are on all
11 committees. And so we have basically a council
12 meeting but it's called committee of the whole, where
13 we introduce everything that we want council to look
14 at the following week.

15 MS. BAUGHMAN: It used to be that committee
16 meetings just had certain people.

17 MS. ALABACK: Right.

18 MS. BAUGHMAN: Then they changed it so that
19 everybody's on every committee and they just have a
20 different chairman of that committee.

21 MR. YOUNG: Yes. That's actually the last
22 thing on our agenda. Somebody suggested that.

23 So in reading and retyping the old minute
24 books for their preservation, I know that in 1906,
25 for the first roughly 30 years when we started, they

1 did committees essentially like Congress. Where
2 committees got picked when needed and they took
3 something and did a deep dive on it but most things
4 didn't go to committee at all, they just went through
5 the regular three readings of council, that was it.

6 Some point in the 1930-'40s we created
7 committees and they were, like the suggest -- or
8 suggested there were three people that were, you
9 know, a smaller amount responsible for these types of
10 things and they looked at things before they came to
11 council.

12 At some point relatively recently, within the
13 last 20 years, that transitioned to this committee of
14 the whole system, which is really much more similar
15 to like a work session system similar to what
16 Louisville and Hudson use of, you know, basically
17 it's another council meeting but they just call it a
18 work session. So they don't take votes, they just
19 kind of discuss, all right, here's administration's
20 idea, what specifics would you like to see in the
21 final written ordinance for next week. So we're
22 unique in that we have this everybody's on all the
23 committees committee of the whole thing. And that
24 does add roughly two weeks to the process, as Jina
25 mentioned earlier.

1 MS. HOSTETLER: Have there been opportunities
2 lost with this extended two weeks? I guess that's
3 kind of where I'm --

4 MS. ALABACK: Well, yes, and it creates --
5 sometimes it creates situations where we have to act
6 for emergency, which nobody likes, but it's really
7 just to get things done. You know, sometimes we lose
8 out or prices go up or, you know, you negotiate --
9 there's all sorts of reasons that six, eight, ten
10 weeks is really a long time to get anything done
11 timely.

12 MR. YOUNG: For resolutions specifically, the
13 state and the county and both assume that resolutions
14 only take us one reading. So if you look at our
15 record of resolutions, almost every single one is on
16 emergency because they'll give us things, you know,
17 two weeks in advance and think that will be more than
18 enough time for your average municipality to get it
19 done. And so for us that means passing it on
20 emergency because normally it would take six to eight
21 weeks.

22 MR. GRANDJEAN: I'm in favor of reducing the
23 readings.

24 MS. ALABACK: Me too.

25 MR. GRANDJEAN: Yeah, absolutely. It seems

1 like a nightmare.

2 MS. BAUGHMAN: If somebody's that interested
3 in the public, by the first meeting they'll know
4 what's going on and they have the choice at the
5 second meeting to speak up.

6 MS. ALABACK: We have so many ways of
7 publicizing and minutes and YouTube channel and, you
8 know, it's recorded. There are so many different
9 ways to be interactive with our meetings and get the
10 information now more than ever.

11 MS. BAUGHMAN: Right.

12 MR. YOUNG: Okay. So to try and sum up where
13 we landed, I think what we'd like to do is --

14 MS. HOSTETLER: I can help, Ben.

15 MR. YOUNG: What?

16 MS. HOSTETLER: So I feel like add -- clearly
17 define resolution and ordinance in Paragraph 3. So
18 expand that paragraph with those definitions. And
19 then --

20 MS. BAUGHMAN: Change 3 to 2.

21 MS. HOSTETLER: Change 3 to 2.

22 MS. ALABACK: That's in Paragraph 5.

23 MS. HOSTETLER: Which is in Paragraph 5.

24 And --

25 MS. BAUGHMAN: Scratch "regular."

1 MS. HOSTETLER: Scratch "regular." And this
2 point of allow resolutions to be passed more quickly,
3 is that even -- like, does that even make sense?

4 MS. ALABACK: Resolutions should be one and
5 done.

6 MS. HOSTETLER: Okay.

7 MS. ALABACK: But there are some things that
8 don't qualify, like appropriations. You can't do a
9 resolution for appropriation. That has to be
10 ordinance.

11 MS. HOSTETLER: Okay.

12 MR. YOUNG: That's where I would say we sort
13 of borrow from Louisville. They have a pretty solid
14 list of these are things you cannot do by resolution.

15 MS. HOSTETLER: That makes sense. That's a
16 good idea.

17 MR. YOUNG: To set in stone that you can't
18 circumvent the process for, you know, appropriating
19 money or buying land or something like that.

20 MS. HOSTETLER: That's a good idea. And then
21 I feel like, to make it clear that resolutions are
22 one and done, I mean, that seems like that would be
23 part of the definition of a resolution. So that
24 would then answer that part of the amendment.

25 MS. BAUGHMAN: Paragraph 5 addresses the

1 resolution. It says every resolution, except those
2 of ceremony and expenditure of funds, shall be read.
3 So we're talking about ordinances, too; right?

4 MS. ALABACK: Yes.

5 MR. YOUNG: So I think we're saying ordinance
6 two readings and resolutions one reading. But
7 resolutions will be much more limited --

8 MR. FELTZ: Correct.

9 MR. YOUNG: -- in what they can be used for.
10 Okay. Then I will move that we approve
11 giving the transcript of all we've talked about here
12 to our lawyers and asking them to do their best to
13 make it happen.

14 MR. GRANDJEAN: And tell them they only get
15 two readings.

16 MS. BAUGHMAN: Before we move on, can we
17 revisit written notice?

18 MR. YOUNG: Well, before we get there, is
19 there a second for the motion that I made?

20 MS. HOSTETLER: Second.

21 MR. YOUNG: All in favor?

22 ("Aye" in unison.)

23 MR. YOUNG: Opposed? Motion carries. All
24 right.

25 MS. BAUGHMAN: Okay. When you talk about

1 written notice, of any member that counts as absent
2 it says written unless a special reading shall be
3 given in the manner and form hereinbefore provided.
4 So that sentence says that you need to do it like it
5 was -- okay. I see.

6 MS. ALABACK: But you're right.

7 MS. BAUGHMAN: If we change it.

8 MS. ALABACK: We took out how we're
9 providing.

10 MS. BAUGHMAN: Yeah.

11 MS. ALABACK: We probably do need to define
12 something.

13 MS. HOSTETLER: Or could it again just be to
14 eliminate such absentee, so could that -- he shall be
15 given, period.

16 MS. BAUGHMAN: Yeah. Get rid of that.

17 MS. HOSTETLER: Does that make sense?

18 MR. YOUNG: What I understood as we were
19 doing earlier was regardless of whether it was called
20 by written notice or called at a council meeting, I'm
21 still going to tell everybody, hey, don't forget
22 there's a special meeting.

23 MS. BAUGHMAN: So just take out that manner
24 and form hereinbefore provided.

25 MR. YOUNG: Yeah.

1 MS. BAUGHMAN: Okay. Just put a period after
2 absentee. Okay.

3 MR. YOUNG: Okay. Also in Section 2.05, this
4 time further down in Paragraph 9, and then the
5 subsequent bullet points under it, all have to do
6 with how legislation must be published. So right now
7 this requires that we publish all of our regular
8 legislation in the newspaper. Our recent community
9 survey tells us that not that many people read the
10 newspaper. And this is quite an expense. So the
11 suggestion for you all is that, instead, we require
12 that full text of all legislation must be available
13 on the city website within 24 hours after passage, or
14 final action by the mayor, whatever, whether he
15 vetoes or signs, and then that all of the titles must
16 be posted at city hall, and we will be getting a
17 bulletin board just out here, but here at council
18 chambers for at least two weeks after passage. So
19 this would replace the newspaper publishing
20 requirements.

21 MS. ALABACK: Ben, it references Ohio Revised
22 Code Section 731.23. Do you know if that
23 specifically says how long? I was just trying to
24 look it up, but because I know the legislature
25 changed how and what specifically needs to be printed

1 in the paper because the costs were so exorbitant, or
2 so expensive, especially for smaller municipalities.
3 Do you know if that has been changed to allow us to
4 do this on our own website or we had to publish them
5 on the attorney general's website? There was
6 another -- there was a change to that statewide.

7 MR. YOUNG: So there was a change made to
8 allow if you don't have a newspaper of general
9 circulation you could publish them on the state
10 auditor's website.

11 MS. ALABACK: So if we don't do the
12 newspaper, do we have to do the state site if we do
13 our own website?

14 MR. YOUNG: If we put an overriding provision
15 in our charter, no, because it's at that point under
16 our powers of home rule.

17 MS. ALABACK: Okay.

18 MR. YOUNG: If we were to take out these
19 publishing provisions altogether, then we would have
20 to follow ORC directly to the letter of the law. And
21 at the moment, we do still have a newspaper that
22 would be considered of general circulation so we
23 would just keep publishing in the Repository.

24 MS. ALABACK: I thought we were taking that
25 out and amending it to say that we were just going to

1 amend -- or publish it on our city website.

2 MR. YOUNG: Yes.

3 MS. ALABACK: So we wouldn't put it in the
4 paper.

5 MR. YOUNG: Correct.

6 MS. ALABACK: Which is very expensive.

7 MR. YOUNG: Correct.

8 MS. ALABACK: Okay.

9 MR. YOUNG: But you asked if we had to do the
10 auditor's as well.

11 MS. ALABACK: Right.

12 MR. YOUNG: If it's not in our charter, no.
13 If our charter said nothing about publishing, then
14 maybe.

15 MS. ALABACK: You have to follow statute.
16 Okay.

17 MS. HOSTETLER: I just wonder if this is
18 similar to the other point. I mean, to make this,
19 again, evergreen, is there a more generic way we can
20 even say this? If it's like publicly accessible
21 means, which could include a website, it could
22 include a newspaper, if that's still where people
23 want to read into, but I'm just trying to think of
24 language that would stay evergreen and still meet the
25 spirit of what we're trying to do here.

1 MR. YOUNG: I think, unfortunately for this,
2 we probably have to be more specific because I'm
3 thinking of, you know, if there's a bad actor in my
4 seat and I read that as a publicly accessible
5 location, all I have to do is post it on a bulletin
6 board at city hall and walk away and I'm done. So we
7 could -- city council could pass something, you know,
8 ridiculous like no eating ice cream cones on Fridays,
9 and the only place I would ever put it, assuming I'm
10 a bad actor, is post a physical piece of paper on a
11 bulletin board in city hall. And none of you
12 probably walked into city hall in the past week to
13 read the public notices. So at least, you know,
14 specifying it must be on the website, that is a
15 guaranteed accessible from your home, at least. So
16 yes, this might be something they have to change
17 again in 30 years when the HollowNet is invented.

18 MS. BAUGHMAN: We have to follow revised
19 code, too. It shall be given public notice as
20 prescribed by Section WW, Ohio Revised Code.

21 MR. YOUNG: Yes. So this proposal would
22 remove that language.

23 MS. BAUGHMAN: Can you do that, though?

24 MR. YOUNG: We -- from my conversations with
25 other municipalities, we can under the home rule

1 provision of the Ohio constitution.

2 MS. BAUGHMAN: I think that would be a lawyer
3 question.

4 MR. YOUNG: They would have to make a final
5 determination, yeah.

6 MS. BAUGHMAN: Right.

7 MS. ALABACK: I wouldn't mind doublechecking
8 that also.

9 MS. BAUGHMAN: Yeah, because the Ohio Revised
10 Code --

11 MS. ALABACK: If it's allowable, I absolutely
12 agree with it. You can put everything on the
13 website.

14 MS. BAUGHMAN: You can be more stringent than
15 the Ohio Revised Code but you can't be in violation
16 of the Ohio Revised Code. So that's something the
17 lawyers need to, so do we wait to vote on this until
18 we get input?

19 MR. YOUNG: I will move we postpone until I
20 get a more solid answer from our legal counsel. Is
21 there a second?

22 MR. FELTZ: Second.

23 MR. YOUNG: All in favor, say "aye."

24 ("Aye" in unison.)

25 MR. ORR: Ben, can I have permission to

1 speak?

2 MR. YOUNG: Hold on.

3 Opposed? Motion carries.

4 I will make a motion to allow Mr. Orr to
5 speak even though it is no longer recognition of the
6 public. Is there a second?

7 MR. FELTZ: Second.

8 MS. HOSTETLER: Second.

9 MR. YOUNG: All in favor?

10 ("Aye" in unison.)

11 MR. YOUNG: All opposed? Motion carries.

12 Please go to the microphone so that the live
13 stream can hear you.

14 MR. ORR: Quick question. John Orr. 817
15 Harmon Street, North Canton, Ohio.

16 You might want to look up what the governing
17 newspaper is. Is the Canton Repository the governing
18 newspaper? Like if we lived in Louisville, would the
19 Louisville Herald do that? And what did they do when
20 we had the North Canton Sun?

21 MS. ALABACK: It does specifically say that
22 in the revised code, in any local newspaper published
23 daily.

24 MR. ORR: Okay. Well, in March they won't be
25 publishing daily anymore. They'll stop Saturday. So