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CITY OF NORTH CANTON, OHIO

IN RE:)
)
NORTH CANTON)
COMMITTEE OF THE WHOLE)
VIRTUAL MEETING)
)
) TRANSCRIPT OF PROCEEDINGS
)

Transcript of Proceedings held virtually before the North Canton City Council, taken by the undersigned, Shannon Roberts, a Registered Professional Reporter and Notary Public in and for the State of Ohio, at North Canton City Hall, 145 North Main Street, North Canton, Ohio, on Monday, the 1st day of March, 2021, at 6:34 p.m.

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1 MR. PETERS: Okay. We will move directly
2 into the Committee of the Whole meeting. At
3 this time, I'd like to call to order the
4 North Canton Committee of the Whole, March
5 1st, 2021. The time is 6:34.
6 Ben, will you please call the roll?
7 MR. YOUNG: Member Fonte.
8 MR. FONTE: Here.
9 MR. YOUNG: Member Cerreta.
10 MR. CERRETA: Here.
11 MR. YOUNG: Member Foltz.
12 MR. FOLTZ: Here.
13 MR. YOUNG: Member Werren.
14 MS. WERREN: Here.
15 MR. YOUNG: Member Revoldt.
16 MR. REVOLDT: Here.
17 MR. YOUNG: Member Stroia.
18 MR. STROIA: Here.
19 MR. YOUNG: And Member Peters.
20 MR. PETERS: Here.
21 MR. YOUNG: Seven present.
22 MR. PETERS: All right. First up,
23 community and economic development. Chairman
24 Revoldt, the floor is yours.
25 MR. REVOLDT: Thank you, Mr. President.

1 that historically we -- or at least
2 initially, it probably didn't have to work
3 that well, because we really didn't have any
4 problems. But all of us know today we are in
5 a different world in terms of our structures
6 and legal enforcement. And one of the
7 advantages this new code has is that it
8 eliminates this patchwork and provides us
9 with a comprehensive document. And not only
10 does it address residential properties, but
11 also commercial properties, as well.

12 And I think this reflects -- and I'll
13 turn it over in a minute to the
14 administration and Marty. But we have got a
15 much clearer set of standards than we have
16 had in the past. This has been reviewed by
17 legal counsel. We believe it is enforceable.
18 And, importantly, it sets due process in
19 place for individuals who may fall subject to
20 the code.

21 I think it's important to understand that
22 Marty was able to draw many standard
23 regulations from outside; for example, the
24 American Society of Mechanical Engineers. If
25 you look on one of the back pages of your

1 the things that kind of spurred this on is --
2 is actually having been in this position now
3 for three years, being with the City for
4 four, and taking a hands-on approach to every
5 department that was involved in various types
6 of code enforcement, whether it was fire
7 department, police department, building
8 department, permits department,
9 administration, Council, putting it all
10 together and finding that basically what we
11 had had failed to work at some point in the
12 past.

13 We tried, you know, the aggressive, you
14 know, approach when I got in; you know, just
15 by sheer will, we can make this stuff happen.
16 But in the end, the documents, the codes were
17 not unified. So we had too many different
18 approaches from a legal standpoint, standards
19 that had to be met, processes to be followed
20 that prevented us from ever really referring
21 many cases, if any, to the City of Canton to
22 deal with.

23 And we have had this approach of, you
24 know, it's one way or the other; it's either
25 criminal or it's civil, or if it was civil,

1 Again, we had nothing to apply to
2 commercial property. Now we do. And we have
3 a -- a standardized process on how to address
4 them. And it's not always coming down hard
5 and -- at first and being the -- the -- the
6 police on the block. It's a more nuanced
7 approach to that.

8 But what we want to do is for every type
9 of thing, we want to follow this process,
10 regardless of the nature of the violation.
11 And we provide notice, we try to work with
12 them, get them to agreement; you know, a
13 positive step first. But, ultimately, if we
14 have property owners that are resistant or
15 are just unable to deal with it, then we have
16 mechanisms in place to deal with it and to --
17 to effect the change.

18 And that's what it's all about. It's
19 really just about keeping a curbside appeal
20 to all of our properties. So we want to go
21 out there in the -- in the spring and be able
22 to really start this up and get going with
23 it. In addition to that, we are, you know,
24 doing some other things with sidewalks and
25 gravel driveways. And we are going to be out

1 structural changes in the language.
2 Effectively, it does the same thing. It has
3 been streamlined, reformatted to be a little
4 more user friendly. And I think primarily,
5 and more importantly, is to incorporate all
6 of the nuisance types of violations into a
7 single chapter.

8 Often the nuisance officer, the code
9 enforcement officer is engaged by, you know,
10 all -- various departments at the City, as
11 well as, you know, numerous residents within
12 the City to -- you know, seeking relief from
13 various violations. And with the, you know,
14 separated nuisance violations as it is today,
15 often it leads, you know, the code
16 enforcement officer, where they are not able
17 to help, as it falls under a section of the
18 code that either, A, they don't have the
19 authority to follow up on it, or, B, there
20 may not be a good mechanism to enforce that
21 particular code section.

22 With this being a comprehensive approach,
23 it would fall under the similar types of
24 remedies that we'll go over here in a -- in a
25 minute. But it also makes the code

1 community who their focus is on nuisance
2 types violations that typically are similar
3 and have that community approach and that
4 view that is needed to review these from a
5 standpoint of the nuisance abatement process.

6 Let's see. The additional enforcement
7 tools that I mentioned, this -- this does
8 give a component for the civil penalties. It
9 does provide for, you know, worst case
10 scenarios, where --

11 MR. REVOLDT: Hello.

12 MR. VAN GUNDY: Can you hear me? Can you
13 hear me okay?

14 MR. CERRETA: Yeah, I can hear you.

15 MR. VAN GUNDY: Okay.

16 MR. REVOLDT: You broke up a little bit,
17 Marty.

18 MR. VAN GUNDY: Okay. What was the last
19 part we heard?

20 MR. REVOLDT: You were talking about the
21 code and the enforcement by the -- the
22 citizens, property maintenance review board.

23 MR. VAN GUNDY: Oh, okay. So the
24 property maintenance review board, as it's
25 proposed, is a separate body that would

1 would be made aware that there is outstanding
2 or -- concerns with the property. The -- we
3 have clarified the criminal penalties on that
4 as -- as another tool, as well as clarified
5 the legal remedies with the law department.

6 One of the changes that we did make in --
7 in the proposed language is in the vacant
8 property registration. And, again, this
9 applies to not only residential as we have
10 now, but it would also apply to commercial
11 properties. And on page 67 of your packet,
12 we have proposed a fee structure that we feel
13 would incentivize the either rehabilitation
14 of -- of commercial and residential
15 properties or -- or just simply an occupancy
16 of that, so we don't end up with as many
17 vacant buildings.

18 And, again, we have incorporated the weed
19 abatement into this. A new section was
20 incorporated, as well, to address dangerous
21 trees. And, you know, in general, this code
22 not only addresses the exterior, but also the
23 interior of the structure, as well. And,
24 lastly, the -- the requirement here that's
25 incorporated is for the clear polycarbonate

1 comply. And so it was hard to reconcile the
2 two.

3 And I think what Marty did a very good
4 job of in using some of the standard codes
5 was basically getting to a situation where
6 due process was met, where there were
7 situations where certain notices had to be
8 given to the landowners in relation to a lot
9 of these noncompliant situations prior to
10 things being recorded and -- and, ultimately,
11 basically curing those issues that we had
12 from perhaps the due process perspective or
13 from simply just not knowing necessarily what
14 had to be done in certain situations, where
15 it was either unclear or silent from the way
16 that -- that everything was set up to begin
17 with.

18 So I think what -- what this does a good
19 job of -- and, again, it has gone through
20 multiple iterations from our side of things.
21 You know, Marty and Ben have been good at --
22 at kind of putting together our comments and
23 making sure that everything is clear. But it
24 establishes a clear process, a clear -- if
25 this is the situation, then you have to

1 residential, commercial upkeep. And so it's
2 part of the charm of North Canton. But on
3 the other side, many times in the past, it
4 makes it so hard and so user-unfriendly for
5 businesses and residents to do commonsense
6 remedies to things that -- because of the
7 different rules and what they say, and they
8 don't understand it. And so we hear that all
9 the time from people. You know, and we want
10 to the work with them. It's like North
11 Canton is so hard to work for. And -- and we
12 don't want to hear that, but we still want to
13 keep, you know, everything up to, you know,
14 code and where we want it to be.

15 So any time, you know, that you bring
16 commonsense things like this, review,
17 Council, or the appeal board, so people can
18 bring, you know, things that they want to ask
19 questions about, things that are kind of in
20 between on the gray side, I think that's very
21 useful to get what they want and get what we
22 want as a City.

23 So I commend you on all this kind of
24 thing. And, Wayne, thanks for going through
25 that. Because it is hard. I think our codes

1 to 1 dollar, you know, 12 and a half cents
2 per square foot for the fifth and each
3 subsequent year.

4 And, again, keep in mind that you want to
5 encourage buildings to be occupied and -- and
6 not left vacant for, you know, unsightly
7 premises, as well as attractive nuisances.

8 MR. FONTE: Hey, Marty.

9 MR. VAN GUNDY: Yeah.

10 MR. FONTE: Dominic here. So -- so a
11 couple quick things I was just looking at
12 when I was looking at the -- it was probably
13 the one -- December 14th rough draft. And
14 some things may have been revised. I
15 didn't -- I just kind of went through and
16 looked at it myself, and I can always drop it
17 off so you can look at it.

18 But a couple quick things. So when you
19 think of vacant buildings, you know, let's
20 say if you drive up and down Cleveland Avenue
21 and you see commercial buildings that have
22 been sitting there, like Hoover's or anybody
23 that has been sitting there for a long period
24 of time, and -- you know, so do those apply
25 or those account for that?

1 people that will buy those at a little bit of
2 a discount and deal with all those things and
3 bring it up to snuff.

4 So like I saw there was a section in the
5 paperwork that says that you guys can mandate
6 them to escrow money into the title company,
7 and that the officer gives the authority if
8 they can release the money or not. I feel
9 that's overstepping. I feel that, you know,
10 there are many cases -- and like I said, from
11 the real estate standpoint, I have seen this
12 many, many times before, where if there is a
13 meeting of the mind between the buyer and the
14 seller -- and many times, the seller is in a
15 nursing home, maybe doesn't have their
16 wherewithal, and the Administrator, the --
17 you know, the co-trustees, successor trustees
18 are kind of dealing with that. And, you
19 know, they don't have the wherewithal to do
20 anything, and so now we are creating this
21 bureaucracy.

22 So that's all I'm saying is like I don't
23 know what the intent was of it. That's
24 something probably we can talk about later.
25 But that was just one of the things.

1 anything?

2 MR. DEORIO: Applies to all of them.

3 Applies to all of them.

4 MR. FONTE: So like -- like say K-Mart as
5 an example, like let's say it has been empty
6 a year, and it's like -- I don't know --
7 70,000 --

8 MR. DEORIO: Did you read -- did you read
9 the list of exemptions?

10 MR. FONTE: I did, but I can't retain
11 them all right at the moment. I was just
12 saying --

13 MR. DEORIO: If the property is actively
14 being sold or supported by proof of listing
15 on a multiple listing service --

16 MR. FONTE: That's exempt?

17 MR. DEORIO: -- or other similar forms
18 for the sale of property or proof of contract
19 for realtor services.

20 MR. FONTE: Okay. Then that would cover
21 pretty much a lot of it.

22 MR. DEORIO: Yeah, cover a lot of it.

23 MR. FONTE: Yeah. Okay. That's what I
24 wanted to ask. Those are a couple things.
25 The escrow thing popped out. I thought that

1 you, I can point to a couple properties that
2 frankly are really right for the wrecking
3 ball.

4 So I think -- let's -- we have got -- we
5 have got a means -- and, again, as the law
6 department said, we have -- we have got some
7 exemptions. We have the means to exempt it.
8 We have a process in place to consider facts.
9 And that -- we should always keep that in
10 mind, that we -- we have an outlet, but we
11 don't want to let a problem fester.

12 Patrick.

13 MR. DEORIO: Yeah, I think we can all go
14 up and down various parts of the streets in
15 town and look at a lot of properties that
16 have been vacant for a very long time. And
17 here is the thing: Vacancy cost the City.
18 And I don't mean it costs the City in the
19 sense that there is -- there is lost income
20 tax revenue. I mean, it costs the City in
21 its image.

22 When you drive through -- you know,
23 40,000 cars a day on Main Street, and they
24 drive by a vacant building that has been
25 vacant for a decade, two decades, and there

1 Spitzer building. Literally, the building
2 is -- is in a state of decay, and it's at the
3 center of town.

4 MAYOR WILDER: We have two.

5 MR. CERRETA: But it bypasses these
6 exemptions to the point where all they have
7 to do is list it at twice as much like they
8 do, and they are still going listed.

9 MR. STROIA: That's a good period, Mark.

10 MR. DEORIO: But there was a decade
11 there, Mark, where it wasn't listed at all.

12 MR. CERRETA: Okay. Well, that makes a
13 difference then. Yep.

14 MR. FOLTZ: Well, there's --

15 MR. REVOLDT: I think the other thing is
16 this -- is that, you know, as we look at
17 this -- and, again, I would defer to the
18 lawyers. But if the property is -- is listed
19 at an unreasonable amount and it's clear the
20 property owner is intending to circumvent
21 the -- the ordinance, then -- then I think we
22 have a legal remedy.

23 MR. FONTE: Daryl, if the place is
24 falling down and it's for sale, it can be
25 addressed as a nuisance anyhow. You know

1 seeking to sell or transfer the property.

2 So the escrow is -- is a way to secure
3 and help ensure that the violations are going
4 to be, you know, remedied through some sort
5 of process, either through their own means --
6 that is always the preference, of course, is,
7 again, that voluntary compliance. But if --
8 if they choose not to, then there is a
9 function that would help ensure those
10 corrections have been made and limiting the
11 loss to the community, you know, to one
12 specific property.

13 MR. DEORIO: Marty, wasn't --

14 MR. FONTE: Go ahead.

15 MR. DEORIO: Weren't we having -- didn't
16 we have discussions -- you know, we were, I
17 think, concerned with -- we see so many
18 instances where a person buying the property
19 doesn't know what is happening with the
20 property, and the seller doesn't seem to be
21 wanting to obligate themselves to tell the
22 property owner what the problems are. So I
23 thought that this was kind of a means in
24 which the -- you know, there could be some
25 protections in place on the buyer side.

1 doesn't have the wherewithal, the mental
2 capacity or anything to deal with it, and the
3 buyer would be willing to buy it and deal
4 with it, but where the trick came in, when we
5 had problems a few years ago, was the people
6 never really understood that -- what do you
7 mean I have to do this; no one told me. So
8 that's what you are talking about.

9 But the way it should be now with the
10 revisions of the codes is that all the agents
11 are put on notice that if you have a house in
12 the City and it meets these basic criterias,
13 this is what you need to attach to the
14 multiple listing service, so the buyer knows
15 that, hey, as soon as you buy this, even
16 though you are getting it at a discount, we
17 have to do all these inspections and make
18 sure it meets the safe standard in North
19 Canton. That's how I would approach it.

20 But when you get in the middle of
21 escrowing and playing with people's money
22 and -- it's just a little political and
23 little bit too overreaching in my personal
24 and professional opinion.

25 MR. REVOLDT: All right. Any other

1 terms. They hold a public meeting and hear
2 from the property owner why they shouldn't be
3 tagged with this -- these violations.

4 MR. STROIA: That makes sense.

5 MR. DEORIO: And we like that it's
6 members of our community that --

7 MR. STROIA: Absolutely.

8 MR. DEORIO: -- that -- that live here
9 and get to see these properties and see
10 what -- the violations and whatever, and be
11 held accountable or not held accountable.
12 But that's the intent. I don't know -- not
13 sure if that helps you --

14 MR. STROIA: Well, that's perfect.
15 That's exactly what I wanted. Yep. Thank
16 you.

17 MR. CERRETA: I think also, Matt --
18 because, you know, I'm involved in the water
19 board -- people sometimes don't understand.
20 And they come to the water board and they
21 explain it to them, and, you know, they
22 sometimes go away understanding, whether they
23 are mad or not. And at least they can have
24 another -- another review for those. Because
25 like Pat said, they are community people.

1 And -- and, again, with Law Director
2 Boyer's comments, it's going to bring
3 consistency. And Marty is bringing that
4 consistency for us. So I think it's just
5 another step as we try to become better,
6 business friendly, but also being equal in
7 what we do for our citizens. Just my general
8 comment. Thank you.

9 MR. REVOLDT: If I might just -- this is
10 Revoldt -- add one sort of footnote to the
11 Mayor's comment. And I've said this before:
12 I think we should -- we should never be
13 afraid to try something. And understand that
14 if we stay on top of it and we listen to our
15 constituents -- in this case, we are going to
16 have a property maintenance review board,
17 maintenance review board -- we listen
18 carefully, we can make corrections as we go
19 along. And, again, I think the overall good
20 is something that we ought to pursue.

21 And -- but, you know, again, be -- like
22 any project, you monitor its progress, you
23 make corrections and remedies as -- as time
24 passes. So I'm pretty comfortable with where
25 we are. If we can then -- are we all in

1 MR. REVOLDT: Okay. Now, let's go on to
2 3B. What we have got is an ordinance
3 establishing the department of development
4 services. Basically, this is a re-org. And,
5 Pat, I'm going to have you if I don't have
6 this exactly right. But it's restructuring
7 the permits and inspections to put the
8 Director of Administration at the top.
9 Beneath him is the director of permits, and
10 below that are four operating divisions;
11 building, permits, planning and zoning, and
12 maintenance code enforcement. Is that
13 correct?

14 MR. DEORIO: Correct.

15 MR. REVOLDT: Okay. And this is -- this
16 is one of the tools that we are going to have
17 to make this -- this property code work. Are
18 there any questions about this, or, Pat, do
19 you have anything to add?

20 MR. DEORIO: I do not.

21 MR. REVOLDT: Okay. Any questions?

22 MR. CERRETA: Cerreta. Is this going to
23 require more people being added?

24 MR. REVOLDT: It should not. At least I
25 don't think. Pat?

1 appointed by the Mayor, staggered terms,
2 comprised of citizens that will be
3 responsible for the administration and the
4 appeals of the property maintenance
5 regulations.

6 Pat, anything to add?

7 MR. DEORIO: No, sir.

8 MR. REVOLDT: Council, any questions?

9 MR. CERRETA: No. Good idea.

10 MR. REVOLDT: Okay. Can I have -- I'll
11 make a motion that we place this on the
12 agenda for a first reading Monday night.

13 MR. FOLTZ: Foltz seconds.

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

15 MR. FOLTZ: Aye.

16 MR. PETERS: Aye.

17 MR. REVOLDT: Aye.

18 MR. CERRETA: Aye.

19 MR. FONTE: Aye.

20 MS. WERREN: Aye.

21 MR. STROIA: Aye.

22 MR. PETERS: Opposed?

23 (No response.)

24 MR. PETERS: Motion carries.

25 MR. REVOLDT: Perfect. And here is --

1 representation, Pat?

2 MR. DEORIO: Yes, it is.

3 MR. REVOLDT: Okay. So that way nobody
4 can say, well, you know, it didn't get up to
5 Pat or Pat gets surprised. He's going to
6 know, or the Administrator will know what's
7 happening. Any -- any questions or comments?

8 (No response.)

9 MR. REVOLDT: Okay. I'm going to make a
10 motion that we put item 3D on the agenda for
11 a first reading Monday night. Do we have a
12 second?

13 MR. FOLTZ: Foltz seconds.

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

15 MR. FOLTZ: Aye.

16 MR. PETERS: Aye.

17 MR. REVOLDT: Aye.

18 MR. CERRETA: Aye.

19 MR. FONTE: Aye.

20 MS. WERREN: Aye.

21 MR. STROIA: Aye.

22 MR. PETERS: Opposed?

23 (No response.)

24 MR. PETERS: Motion carries.

25 MR. REVOLDT: Okay. Now, you should have

1 of meetings where there have been foul
2 questions, but this is one of them.

3 MR. STROIA: Touche.

4 MR. REVOLDT: I won't use a phrase to
5 characterize that question beyond foul.

6 Does anybody --

7 MR. CERRETA: I always laughed at why do
8 we use the word rubbish? That's an --

9 MR. STROIA: That's another good one.

10 MR. CERRETA: Can't we just use trash?

11 MR. REVOLDT: I think it has to do with
12 the legal definition, actually, Mark.

13 MR. DEORIO: Yeah, that's why.

14 MR. PETERS: That's funny.

15 MR. REVOLDT: Because I think what you
16 have is you have garbage and rubbish. I
17 don't know.

18 MR. DEORIO: It's -- it stems from our
19 ordinances, legal definitions, our service
20 contract, and what is rubbish, what is
21 garbage.

22 MR. REVOLDT: Okay. Mr. President, it
23 doesn't appear if there are any questions or
24 comments about items about 3E through 3J, so
25 I would make a motion that we take these as a

1 you, Mark.

2 Okay. If there aren't any other

3 questions, then I'll move that we place this

4 on the agenda for approval on emergency.

5 MR. CERRETA: Cerreta seconds.

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

7 MR. FOLTZ: Aye.

8 MR. PETERS: Aye.

9 MR. REVOLDT: Aye.

10 MR. CERRETA: Aye.

11 MR. FONTE: Aye.

12 MS. WERREN: Aye.

13 MR. STROIA: Aye.

14 MR. PETERS: Opposed?

15 (No response.)

16 MR. PETERS: Motion carries.

17 MR. REVOLDT: Item 3J is the CRA.

18 MR. DEORIO: 3L.

19 MR. REVOLDT: Pardon?

20 MR. DEORIO: 3L. You said "J."

21 MR. REVOLDT: Oh, I'm sorry. 3L, yeah.

22 Old eyes. I'm still laughing about fowl. 3L

23 is an ordinance on an emergency basis to

24 approve the tax incentive agreement between

25 the City of North Canton and 1303-1305 North

1 joke, and maybe you should go there and tell
2 it.

3 MR. REVOLDT: Listen, before this --
4 before we get ourselves into real trouble
5 here, I'm going to make a motion that we
6 place this on the agenda for emergency
7 consideration Monday night. Is there a
8 second?

9 MR. FOLTZ: Foltz seconds.

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

11 MR. FOLTZ: Aye.

12 MR. PETERS: Aye.

13 MR. REVOLDT: Aye.

14 MR. CERRETA: Aye.

15 MR. FONTE: Aye.

16 MS. WERREN: Aye.

17 MR. STROIA: Aye.

18 MR. PETERS: Opposed?

19 (No response.)

20 MR. PETERS: Motion carries.

21 MR. REVOLDT: Okay. Now, let's make the
22 church happy. We had the public hearing. We
23 have a favorable recommendation of the
24 Planning Commission that the outlot on which
25 the former parsonage was established be

1 MS. WERREN: Aye.

2 MR. STROIA: Aye.

3 MR. PETERS: Opposed?

4 (No response.)

5 MR. PETERS: Motion carries.

6 MR. REVOLDT: Thank you, Mr. President.

7 MR. PETERS: All right. Thank you,
8 Daryl. And I'll echo Matt -- Matt's
9 comments. Daryl, thank you for all your hard
10 work. Marty, Pat, everyone, well done.

11 Okay. Moving on to ordinance and rules
12 committee. Chairman Stroia, the floor is
13 yours.

14 MR. STROIA: All right. Thank you. This
15 is all the way down on page 135. So
16 previously we talked about looking at the
17 charter and potentially making some changes.
18 It ends up being -- it's a little bit more
19 tedious than what we thought.

20 Ben, if you want to weigh in here and
21 then we can have a discussion on whether we
22 want to proceed or not.

23 MR. YOUNG: Yeah, so in talking to legal
24 counsel about the best language for the
25 amendments that you all had identified, they

1 the habit of at the end of every October
2 passing a nonemergency ordinance granting
3 that power.

4 MR. PETERS: Until we get to the charter
5 review -- next charter review commission?

6 MR. YOUNG: Correct.

7 MR. FOLTZ: Correct.

8 MR. YOUNG: So if three elections over
9 two years is --

10 MR. FOLTZ: No.

11 MR. YOUNG: -- too difficult, then we do
12 believe, at least for that one, we have a
13 workaround.

14 MR. FOLTZ: Yeah, I think that's a great
15 remedy, instead of going through all that for
16 the public. So I support that. It's Foltz.

17 MR. STROIA: I agree, Doug. I just think
18 it's too tedious.

19 MR. PETERS: I agree, as well.

20 MR. STROIA: Okay. Anybody else?

21 MR. REVOLDT: Hey, Matt, this is Daryl.

22 MR. STROIA: Yeah.

23 MR. REVOLDT: You know, one of the things
24 I think is -- is as we look at some of our
25 discussions over the last year or so,

1 a more meaningful charter review process if
2 we did that.

3 It's not that we are going to force it on
4 somebody. But it's the -- the fact that we
5 have the time -- we have taken the time over
6 the next period of many, many months to look
7 at those sections of the charter that might
8 be improved. Just a thought.

9 MR. CERRETA: That's a great idea, Daryl.
10 I mean, we should -- we should start now. I
11 mean, very few, if any, of us will be around
12 in 2027. I don't mean physically. I mean
13 on -- on Council. Maybe Matt is young enough
14 to do that, but --

15 MR. STROIA: I'm like, geez, Mark, that's
16 a little harsh.

17 MR. CERRETA: But we should be making --

18 MR. STROIA: I agree.

19 MR. CERRETA: We should be writing stuff
20 down and putting things into place so they
21 are ready to roll and look at why we are
22 doing that. Because it will be a whole new
23 world even at that point than it is now.

24 MR. REVOLDT: Absolutely.

25 MR. PETERS: Sure.

1 make sure it's carried forward.

2 MR. FOLTZ: Good point.

3 MR. STROIA: Yep. Anybody else?

4 MR. REVOLDT: Nope.

5 MR. PETERS: Nope.

6 MR. STROIA: Then I -- I motion to table
7 this then.

8 MR. REVOLDT: I'll second it. Revoldt
9 seconds.

10 MR. PETERS: All right. All in favor,
11 say "aye."

12 MR. FOLTZ: Aye.

13 MR. PETERS: Aye.

14 MR. REVOLDT: Aye.

15 MR. CERRETA: Aye.

16 MR. FONTE: Aye.

17 MS. WERREN: Aye.

18 MR. STROIA: Aye.

19 MR. PETERS: Opposed?

20 (No response.)

21 MR. PETERS: Motion carries.

22 MR. STROIA: Thank you.

23 MR. PETERS: Okay. Moving on, personnel
24 and safety. We have created the North Canton
25 Volunteer Firefighters' Dependents Fund

1 MR. YOUNG: Since there are no other
2 nominations, you can do it for both as one,
3 but we do need on the record each Council
4 member to state who they are voting for.

5 MR. PETERS: Oh, so instead of a voice
6 vote, a roll call with the names?

7 MR. YOUNG: Yes.

8 MR. PETERS: Okay. All right. So, Ben,
9 if you want to call an individual roll for
10 each Council member to state the names that
11 they wish to be the appointees.

12 MR. FOLTZ: Can't we just make a motion
13 with both the positions, and then we all vote
14 on it in a roll?

15 MR. YOUNG: So under the chapter of the
16 Ohio Revised Code that governs this board, it
17 has to be treated as an election, not as a
18 motion.

19 MR. FOLTZ: Okay.

20 MR. PETERS: I see.

21 MR. YOUNG: So you have to elect your two
22 nominees.

23 MR. FONTE: All right. Let's get on with
24 it then.

25 MR. PETERS: Okay. Well, if there are no

1 MR. FOLTZ: Clerk of Council.

2 MR. CERRETA: Clerk of Council. He has
3 been -- he did get a raise, didn't he? So
4 Clerk of Council and Director of Finance for
5 Cerreta.

6 MR. FOLTZ: He's not Clerk of Courts yet,
7 Mark.

8 MR. CERRETA: Yeah. He'll be there soon.

9 MR. YOUNG: Member Fonte.

10 MR. FONTE: Fonte votes for the Clerk of
11 -- I don't want to say courts, but Clerk of
12 Council and Director of Finance.

13 MR. YOUNG: The Clerk of Council and the
14 Director of Finance have both received seven
15 votes.

16 MR. PETERS: All right. And both are --

17 MR. FONTE: Congratulations.

18 MR. PETERS: Congratulations to both of
19 them.

20 MR. FOLTZ: Yes.

21 MR. PETERS: All right. Thank you. Now,
22 moving on --

23 MR. DEORIO: Jeff, on this next one, I
24 have a question procedurally.

25 MR. PETERS: Yes, sir. Go ahead.

1 MR. PETERS: Oh, I got you. Okay.

2 MR. DEORIO: Just read it --

3 MR. YOUNG: It's just on the agenda, it's
4 wrong.

5 MR. PETERS: Right on. Okay. All right.
6 So as Patrick stated, Board of Control did
7 receive bids and now we are authorizing the
8 Mayor, through the Board of Control, for the
9 installation of the exhaust venting system at
10 a cost not to exceed \$110,000. Any questions
11 for Patrick on this one?

12 MR. FONTE: Pat, that's the 90 percent
13 grant, 10 percent we pay? Is that it?

14 MR. DEORIO: That's -- that's the one you
15 had called me on earlier today about what
16 Plain Township had done, and, yeah, we are --
17 we are on the same path as they are.

18 MR. FONTE: Awesome. Thank you very
19 much.

20 MR. PETERS: Okay. If there are no other
21 questions, is there a motion and a second to
22 recommend this item out of committee?

23 MS. WERREN: Werren moves.

24 MR. REVOLDT: Revoldt seconds.

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

1 give me a call.

2 But I appreciate the opportunity to
3 speak, because we do -- have been working on
4 this. We know that a rate study for both
5 sewer and water had to be done. It hadn't
6 been done for some period of time. We were
7 past the point of -- the last time we did it,
8 I believe, was in 2013. We had a five-year
9 plan.

10 So this should have been done a couple
11 years ago. So we have had some changeover in
12 personnel. We had COVID. And in spite of
13 that all, we -- we -- Jina, myself, Mark
14 Leichtamer, Brian Hill have worked to get the
15 consultant to finish this work in progress,
16 wrap it up and get something to City Council
17 March 1st.

18 So the rate study was done by, you know,
19 Bob McNutt, who has been with our City and
20 assessing our capabilities and needs for
21 decades. Included in this study is an
22 analysis of, you know, what is our operating
23 cost, how much does it cost to -- to just --
24 to just turn on the lights and get the water
25 going, treat it. And then also our capital

1 2023, you know, the administration, along
2 with the water treatment plant, the
3 engineer's office, we'll get together with
4 the consultants and we'll -- we'll conduct
5 another asset management plan update. And
6 with that update, we will bring that back to
7 City Council then to see if there is any
8 adjustment that needs to be made to the
9 rates, up or down.

10 So we like the idea that there is a
11 five-year plan, but there is an automated
12 process that in three years, or, in essence,
13 2023, that this will come back to City
14 Council with a recommendation on the asset
15 plan that, hey, these are -- this is what has
16 happened in the last few years; are you on
17 track or not on track, and adjusting
18 accordingly.

19 The City of Canton just did theirs last
20 week. They opted to do just a three-year
21 plan. And their rates were increases of 7,
22 7, and 5. So ours is 5, 5, 5, 3, 3, with the
23 provision to bring that back. That's on the
24 water side.

25 So on the sewer side, we were just

1 So what we are talking about is just on
2 the North Canton rate side. And we are
3 recommending \$1 per month increase. It was
4 \$1 or \$1.05. Jina, what was it?

5 MS. ALABACK: \$1.05.

6 MR. DEORIO: \$1.05. My bad. So \$1.05
7 per month increase to the North Canton sewer
8 portion of that bill. And that would also be
9 over a -- cover the five-year period. Now,
10 we are also saying that -- that we would seek
11 to have these rates go into effect January
12 1st, 2022, and then run through calendar year
13 2026. So that everybody will have plenty of
14 time to adjust and -- and forecast where they
15 need to be for these new rates. They are
16 very -- very modest in comparison. So that
17 kind of covers on the -- on the water and
18 sewer, as far as the rates go.

19 Then there were some additional changes
20 to various parts of this that we have come
21 across that we are seeking redress on. So
22 one is with a fee that the City charges when
23 your water is shut off for nonpayment or
24 noncompliance, and then you seek to have it
25 turned back on.

1 4:25, our crews go home at 3:30. And we'd
2 call them back out, minimum call-out overtime
3 to go out and handle that. The -- we were
4 losing money on that deal.

5 So we changed it to just be 8:00 to 4:30.
6 So your water would get turned back on the
7 next day. If you come in early enough in the
8 day, we can get it that day. But once people
9 go home, we are not going to call them back
10 out. That seems to be working very well.
11 People have accepted that. So we would like
12 to -- working with finance here, we would
13 like to eliminate that turn on fee of \$100.
14 So that is another part of this proposal.

15 And then also another thing that we came
16 across that isn't working right has to do
17 with some changes that were made back in
18 2008. So I'm going to give you a little bit
19 of the backdrop on that, but -- so bear with
20 me. Back in 2007, the State of Ohio had a
21 program called the Homestead Act, and certain
22 residents throughout Ohio could apply for a
23 homestead exemption and get a reduction on
24 their property taxes. And in -- at the end
25 of 2007, going into 2008, the State of Ohio

1 ordinances, it was set to apply to sewer, as
2 well, although that never had happened in the
3 ensuing years. It was just on the water.

4 Unfortunately, in 2008, that was probably
5 the last time that City Council ever had to
6 deal with this, and I can tell from working
7 with the finance department now, that in that
8 period of time, there has been no vetting as
9 to who is applying and whether they qualify.

10 So there are approximately 113, 1-1-3,
11 113 individuals that are on this program, but
12 we have no idea whether they qualify or not.
13 They should have to qualify on an annual
14 basis to determine whether or not they should
15 be given that exemption. And I, with Jina,
16 worked on just pulling the last -- one of the
17 last applications for the exemption to be
18 brought forward and applied. It was applied.

19 And that illustrates part of the problem.
20 There is no process. It shouldn't be left to
21 the client coordinators to decide whether or
22 not to apply. It should -- there should be a
23 process in place, if we are doing that, where
24 it goes to a board. It could be the water
25 board. And these all would have to be

1 I'm not sure that we really have the
2 personnel available to be able to handle that
3 on an ongoing basis, given what I see and
4 having to do the lift with the CRA, the TIRC,
5 and other boards like that. So it was our
6 recommendation that we -- come 2022, that we
7 not have that program in place.

8 Jina, would you like -- did I miss some
9 things there that I went over?

10 MS. ALABACK: There were just two other
11 pieces that we talked about.

12 MR. DEORIO: Go ahead.

13 MS. ALABACK: Relating to -- there is a
14 section in the current rate ordinance that
15 relates to commercial customers having two or
16 more locations in the City. And they have a
17 reduction -- again, they have to prove
18 certain incomes and number of employees. And
19 we currently don't have any participants in
20 that program, and it would be another one
21 that we would either need a board to review
22 or have a process in place. But we couldn't
23 find in the history of the City where we had
24 a participant in that section. So we are
25 just asking to remove Section H, under 937.

1 that that's going to be substantial for them
2 either on their total bill, but I just wanted
3 to quantify that program.

4 MR. DEORIO: Jina, one other one that I
5 think we should touch on, too, is that we are
6 establishing the -- the rate for the bulk --
7 bulk -- bulk water rate for our new -- what
8 do we call that station?

9 MS. ALABACK: The new filling station
10 with the credit card.

11 MR. DEORIO: Filling station.

12 MS. ALABACK: Yes. Uh-huh.

13 MR. DEORIO: Yeah.

14 MS. ALABACK: Yes.

15 MR. DEORIO: That was something we got
16 through last year with some of the COVID
17 dollars, I believe. So it's touchless. It
18 doesn't involve the City having to -- to be
19 involved with it, manning it, hooking it up.
20 It's just kind of like a filling station you
21 go to, but we established a rate for that if
22 they pay with a credit card.

23 MR. CERRETA: Okay. Anything else?
24 Daryl?

25 MR. REVOLDT: I'm good.

1 MS. ALABACK: So it isn't. But the
2 late -- the late penalty is even if they make
3 a payment past the due date. But that still
4 is 10 days or 15 days before they -- before
5 the shut-off date. So the penalty is just
6 truly to incur -- and that's where I -- I
7 agree with you on the shut-off penalty. It
8 feels like it's a penalty on top of a
9 penalty. Because we already have a late
10 penalty, but now we are going to charge you
11 another. And I believe that \$100 or \$50 was
12 to cover the overtime cost, which we just
13 don't have anymore.

14 MR. PETERS: Right.

15 MS. ALABACK: So the 5 -- 5 percent is
16 just very low on the penalty. Just to be --
17 you know, pay on time or be late. So I don't
18 have -- that varies every single month,
19 honestly. And we -- we do seem to have more
20 and more and more people every single month
21 that are paying via ACH or online check or on
22 our website. So -- but, again, it's either
23 if they have it set up as automatic, then it
24 will never ever be late, or if they are going
25 in and paying every month themselves, it