

CITY OF NORTH CANTON, OHIO

IN RE:)
)
 NORTH CANTON)
 CHARTER ADVISORY)
 BOARD MEETING) TRANSCRIPT OF PROCEEDINGS
)

- - - - -

Transcript of Proceedings taken before the North Canton Charter Review Committee, taken by the undersigned, Shannon L. Newhall, a Registered Professional Reporter and Notary Public in and for the State of Ohio, at the North Canton Civic Center, 845 West Maple Street, North Canton, Ohio, on Monday, the 11th day of April, 2022, at 5:00 p.m.

- - - - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

- Benjamin R. Young, Chairperson
- Miriam Baughman, Vice Chairperson
- Ronald Feltz, Member
- Kristina Hostetler, Member
- Zachary Fettman, Member
- Jina E. Alaback, Member
- Kevin Coblentz, Assistant Clerk

1 MR. YOUNG: All right. I'd like to call
2 to order the North Canton Charter Advisory
3 Board meeting of April 11, 2022, at 5:00 p.m.
4 Member Young is here. Member Feltz is
5 absent -- or, no, Member Fettman is absent.

6 Member Feltz.

7 MR. FELTZ: Here.

8 MR. YOUNG: Member Hostetler.

9 MS. HOSTETLER: Here.

10 MR. YOUNG: Member Baughman.

11 MS. BAUGHMAN: Yes.

12 MR. YOUNG: Member Grandjean is absent.

13 Member Alaback.

14 MS. ALABACK: Here.

15 MR. YOUNG: Five present. All right. Do
16 we have a motion to approve the minutes from
17 March 14th, 2022 as presented?

18 MR. FELTZ: So moved.

19 MR. YOUNG: Is there a second?

20 MS. HOSTETLER: Second.

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

22 MS. ALABACK: Aye.

23 MR. YOUNG: Aye.

24 MS. BAUGHMAN: Aye.

25 MS. HOSTETLER: Aye.

1 MR. FELTZ: Aye.

2 MR. YOUNG: All opposed?

3 (No response.)

4 MR. YOUNG: Motion carries.

5 All right. Before we dive in this
6 evening, are there any of our esteemed guests
7 who would like to take the opportunity to
8 address us about any item on the agenda this
9 evening?

10 MR. SARBACH: He's got to be talking
11 about you.

12 MR. ORR: No, I have nothing. I thought
13 maybe you did.

14 MR. YOUNG: All right. Seeing none,
15 we'll move on to Number 4A, Resolution
16 2022-01, a resolution recommending the
17 adoption of amendments to Charter Sections
18 2.01 and 3.01 in order to alter the terms of
19 elected officials of the City of North Canton
20 and thereby establish four-year alternating
21 terms beginning on January 1st.

22 This, as everything we have -- will talk
23 about tonight, are things that we have
24 previously approved to have drafted.

25 (Whereupon, Mr. Fettman enters the room.)

1 MR. YOUNG: Let the record reflect Member
2 Fettman has arrived at 5:02.

3 So, you know, we talked about this. I
4 personally think that four-year staggered
5 terms will provide stability, not just for
6 the elected offices, but also for the
7 appointed offices, that there is sort of less
8 of that fear that every two years you might
9 not have a job anymore.

10 And then moving the start -- the start of
11 the terms to January 1st would just match our
12 fiscal year and the calendar year and
13 everybody else around us.

14 So if nobody has any objections, I will
15 move that we adopt Resolution 22-01.

16 MR. FELTZ: Second.

17 MR. YOUNG: All in favor?

18 MS. ALABACK: Aye.

19 MR. YOUNG: Aye.

20 MS. BAUGHMAN: Aye.

21 MS. HOSTETLER: Aye.

22 MR. FELTZ: Aye.

23 MR. FETTMAN: Aye.

24 MR. YOUNG: All opposed?

25 (No response.)

1 MR. YOUNG: Motion carries.

2 All right. Number 2, Resolution 2022-02,
3 a resolution recommending the adoption of
4 amendments to Charter Section 2.04 in order
5 to simplify the notice requirements imposed
6 on the Clerk of Council for special meetings
7 of City Council.

8 This one, as we talked about, is changing
9 it so that I don't have to hand deliver
10 notices of special meetings anymore. But it
11 also makes it more stringent that I always
12 have to give notice, as opposed to previously
13 there were some exceptions where I wouldn't
14 have to give notice.

15 Questions, comments, concerns?

16 MS. BAUGHMAN: This is a good change.

17 MR. YOUNG: All right. Then I will move
18 we adopt Resolution 2022-02.

19 MS. HOSTETLER: Second.

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

21 MS. ALABACK: Aye.

22 MR. YOUNG: Aye.

23 MS. BAUGHMAN: Aye.

24 MS. HOSTETLER: Aye.

25 MR. FELTZ: Aye.

1 MR. FETTMAN: Aye.

2 MR. YOUNG: Opposed?

3 (No response.)

4 MR. YOUNG: Motion carries.

5 All right. Number 3, Resolution 2022-03,
6 a resolution recommending the adoption of
7 amendments to Charter Sections 2.05 and 3.01
8 in order to clarify the legislative process
9 of the City of North Canton and establish
10 distinct differences between ordinances and
11 resolutions.

12 This resolution also incorporates the
13 changing of the number of readings. So
14 resolutions would be down to one reading and
15 ordinances would be down to two readings.

16 Questions, comments, concerns?

17 MS. BAUGHMAN: Will this define the
18 difference between the two?

19 MR. YOUNG: Yes, so it -- the proposed
20 amendments as written actually separates
21 ordinances and resolutions into their own
22 subsections essentially. And then there is
23 an alphanumeric designated list of what each
24 type of legislation may be used for.

25 MS. ALABACK: Ben, I have a note that we

1 were -- we had tabled one piece of it about
2 publishing on the website. Did you find that
3 one?

4 MR. YOUNG: That is the next resolution,
5 and we brought -- we did talk about that
6 again on March 14th.

7 MS. ALABACK: Right. So what was the
8 final that we put in?

9 MR. YOUNG: So the final we -- that legal
10 told us was the caveat that yes, we can stop
11 publishing in the newspaper, but we have to
12 send the first-class mail notice if it
13 affects a specific person.

14 MS. ALABACK: Okay.

15 MR. YOUNG: And that's the next thing
16 that will be coming up here.

17 So for Resolution 3, is there a motion to
18 approve?

19 MS. ALABACK: So moved.

20 MR. YOUNG: Is there a second?

21 MR. FELTZ: Second.

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

23 MS. ALABACK: Aye.

24 MR. YOUNG: Aye.

25 MS. BAUGHMAN: Aye.

1 MS. HOSTETLER: Aye.

2 MR. FELTZ: Aye.

3 MR. FETTMAN: Aye.

4 MR. YOUNG: Opposed?

5 (No response.)

6 MR. YOUNG: Motion carries.

7 All right. Resolution Number 2022-04,
8 there is a correction in this title, that I
9 apologize I didn't notice until this morning.
10 You can see it on your screen highlighted
11 yellow. So the correct title should read a
12 resolution recommending the adoption of
13 amendments to Charter Section 2.05 in order
14 to eliminate the requirement that legislation
15 be published in a newspaper, not charter
16 amendments.

17 So this is what Jina just brought up. We
18 had talked about not publishing in the
19 newspaper anymore because it's very
20 expensive. And previously we had tabled and
21 then brought back, because we asked our legal
22 counsel to clarify can we do this and what
23 would we have to do instead.

24 So the new proposal would be on the -- on
25 the website, on the bulletin boards, and if

1 it directly affects a specific person or
2 property, we have to send them a letter
3 saying, hey, we did this to you. So the best
4 example would be a zoning amendment.

5 MS. BAUGHMAN: What about the public
6 hearing notice? Is that part of the
7 legislation?

8 MR. YOUNG: So public hearing notices,
9 like for zoning amendments, are actually
10 dictated by the zoning code, not by the
11 Charter. And those would still be -- Council
12 actually just approved amendments for those,
13 and those are still 200 feet from the
14 property line, all the surrounding neighbors
15 get a public notice, letter. So like tonight
16 we have a public hearing, and I sent out
17 letters to a grand total of 33 properties,
18 not just the property that the zoning change
19 would affect.

20 MS. BAUGHMAN: Okay.

21 MR. YOUNG: I will move that we adopt
22 this resolution with the correction.

23 MR. FETTMAN: So moved.

24 MR. YOUNG: Second from Member Fettman.
25 All in favor?

1 MS. ALABACK: Aye.
2 MR. YOUNG: Aye.
3 MS. BAUGHMAN: Aye.
4 MS. HOSTETLER: Aye.
5 MR. FELTZ: Aye.
6 MR. FETTMAN: Aye.
7 MR. YOUNG: Opposed?
8 (No response.)
9 MR. YOUNG: Motion carries.
10 All right. 4E, Resolution 2022-05, a
11 resolution recommending the adoption of
12 amendments to Charter Sections 3.01 and 3.05
13 in order to remove the budget deadlines of
14 May 5th for revenue and June 15th for
15 expenses.
16 MS. ALABACK: I will make that motion.
17 I'd second it if I could second it.
18 MS. BAUGHMAN: I'll second it.
19 MR. YOUNG: All right. A motion and a
20 second. All in favor?
21 MS. ALABACK: Aye.
22 MR. YOUNG: Aye.
23 MS. BAUGHMAN: Aye.
24 MS. HOSTETLER: Aye.
25 MR. FELTZ: Aye.

1 MR. FETTMAN: Aye.

2 MR. YOUNG: All opposed?

3 (No response.)

4 MR. YOUNG: Motion carries.

5 All right. 4F, Resolution 2022-06, a
6 resolution recommending the adoption of an
7 amendment to Charter Section 5.06 to change
8 the standard for potential removal of elected
9 officials from office from three consecutive
10 meetings to five in a calendar year.

11 Again, this standard was based off of
12 Council generally meets about 50 times a
13 year, so that's roughly 10 percent of the
14 meetings a year.

15 Questions, comments, concerns?

16 (No response.)

17 MR. YOUNG: Is there a motion?

18 MR. FELTZ: So moved.

19 MR. YOUNG: Is there a second?

20 MR. FETTMAN: Second.

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

22 MS. ALABACK: Aye.

23 MR. YOUNG: Aye.

24 MS. BAUGHMAN: Aye.

25 MS. HOSTETLER: Aye.

1 MR. FELTZ: Aye.

2 MR. FETTMAN: Aye.

3 MR. YOUNG: All opposed?

4 (No response.)

5 MR. YOUNG: Motion carries.

6 4G, Resolution 2022-07, a resolution
7 recommending the adoption of an amendment to
8 Charter Section 6.04 to allow Council to call
9 Charter Review Commissions more frequently
10 than every ten years. So the minimum
11 standard would still be every ten years,
12 years ending in "7," but Council could call
13 full reviews in between those ten-year spans
14 if they wanted to --

15 MR. FELTZ: Yeah. Uh-huh.

16 MR. YOUNG: -- or need.

17 Questions, comments or concerns?

18 (No response.)

19 MR. YOUNG: All right. Is there a motion
20 to approve?

21 MR. FELTZ: So moved.

22 MR. YOUNG: Is there a second?

23 MS. HOSTETLER: Second.

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

25 MS. ALABACK: Aye.

1 MR. YOUNG: Aye.

2 MS. BAUGHMAN: Aye.

3 MS. HOSTETLER: Aye.

4 MR. FELTZ: Aye.

5 MR. FETTMAN: Aye.

6 MR. YOUNG: Opposed?

7 (No response.)

8 MR. YOUNG: Motion carries.

9 And, lastly, 4H, Resolution 2022-08, a
10 resolution recommending the adoption of
11 amendments to Charter Section 5.07 in order
12 to specify that the residents of the City of
13 North Canton may exercise any power of the
14 Charter through an elective petition. So
15 this is one that we had put off at the end of
16 last meeting to come back to us.

17 Personally, over the course of last
18 month, I have attempted to explain this to
19 numerous people outside of this board, and it
20 has proven difficult and it has brought me to
21 the point where I personally would say that
22 the odds of it happening again and the
23 difficulty in attempting to explain it to the
24 public to vote on this is not worth pursuing
25 the amendment, that we just let it go.

1 MS. ALABACK: I agree.

2 MR. YOUNG: That's -- that's where I'm
3 standing on it.

4 MR. FELTZ: I agree.

5 MS. ALABACK: I feel like people have a
6 process the way that it is set up. They do
7 have a process.

8 MR. YOUNG: Yeah.

9 MS. ALABACK: So I don't know what
10 this -- I know I've had you explain it to me
11 fourteen times. I even had Kevin explain it
12 to me.

13 MS. BAUGHMAN: It was trying to fix an
14 incident that --

15 THE REPORTER: I can't hear you, Miriam.

16 MS. BAUGHMAN: It was I think to fix
17 something that happened in the past, that
18 like Ben says, is never going to happen
19 again.

20 MS. ALABACK: Correct. I agree.

21 MR. YOUNG: Yeah.

22 MS. BAUGHMAN: So revisit it if it
23 happens again.

24 MS. ALABACK: Yeah.

25 MR. YOUNG: Yeah, I would say revisit it

1 if it happens again, and put it on a full
2 charter review instead of us here.

3 MS. HOSTETLER: Okay.

4 MR. YOUNG: So I will -- I will move that
5 we defeat Resolution 2022-08.

6 MR. FELTZ: I'll second that.

7 MR. YOUNG: All in favor, say is "aye."

8 MS. ALABACK: Aye.

9 MR. YOUNG: Aye.

10 MS. BAUGHMAN: Aye.

11 MS. HOSTETLER: Aye.

12 MR. FELTZ: Aye.

13 MR. FETTMAN: Aye.

14 MR. YOUNG: All opposed?

15 (No response.)

16 MR. YOUNG: Motion carries.

17 All right. So that is everything that
18 was submitted to us. If anybody has anything
19 else, we can meet again next month. But if
20 not, I will take the resolutions we have
21 approved today and give them to Council at
22 the first meeting of their May calendar.

23 They may or may not send something back
24 to us for us to look at in June. But June
25 would be -- if we do have to meet in June, it

1 would be our absolute last meeting, because
2 by the ordinance that created this body, we
3 cease to exist on July 1st.

4 MS. HOSTETLER: So can I -- just for my
5 understanding, so we -- this is just our
6 advisement to Council, and so then Council
7 will be -- so -- so, really, some of this may
8 or may not still end up making it into the
9 Charter; is that correct? Is that my
10 understanding?

11 MR. YOUNG: Yes, so now it will go to
12 City Council, and then they will decide what,
13 if any, to put on the ballot.

14 MS. HOSTETLER: Okay.

15 MR. YOUNG: And then ultimately the
16 residents of the City will decide if any make
17 it into the Charter.

18 MS. HOSTETLER: Okay.

19 MS. ALABACK: Each one is voted on
20 separately on the ballot.

21 MS. BAUGHMAN: So what happens after
22 Council discusses it and decides which
23 thing --

24 THE REPORTER: I'm sorry.

25 MS. BAUGHMAN: What happens --

1 MR. YOUNG: There's no speaker.

2 MS. BAUGHMAN: Is this on?

3 MR. YOUNG: There is no speaker for the
4 microphone.

5 MS. BAUGHMAN: Okay. What happens after
6 Council decides what moves forward and what
7 doesn't?

8 MR. YOUNG: So Council will pass
9 resolutions to put them on the ballot. I
10 will have to file those resolutions with the
11 Board of Elections. We, the City, have to
12 publish in the newspaper that we put this on
13 the ballot. The Board of Elections has to
14 publish in the newspaper that these will be
15 on the ballot.

16 By state law, the amendment -- the full
17 text of the amendment, not just the ballot
18 language, has to be publicly available during
19 business hours in my office for anybody to
20 come walk up and say, I'd like to read the
21 amendments for the -- the full duration of
22 the time between when Council puts it on
23 until Election Day.

24 MS. ALABACK: It would be a November
25 election.

1 MR. YOUNG: Yeah, so that would be the
2 November general one. And Council cannot
3 pass these on emergency. So we'll give it to
4 them in May. It will take at least until the
5 end of June for them to pass them, if they
6 pass it.

7 MS. HOSTETLER: And then whatever --
8 these would all go into effect, I'm assuming
9 then, what, the first of January 2023? Is
10 that the --

11 MR. YOUNG: As soon as the election is
12 certified, they -- the Board of Elections
13 would certify to me whatever did or did not
14 pass. I then have to make a new draft of our
15 Charter and file that with the Secretary of
16 State's office. As soon as that's filed,
17 they are technically in effect.

18 MS. HOSTETLER: Got it.

19 MR. FELTZ: So you are saying they could
20 send something back to us to review?

21 MR. YOUNG: They could choose to do that
22 if they want to, yeah, if they have some
23 other idea that we didn't talk about that
24 they want to throw at us.

25 MS. HOSTETLER: Okay.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. YOUNG: Okay? Then if there is nothing else, I will entertain a motion to adjourn.

MR. FELTZ: So moved.

MR. YOUNG: Is there a second?

MS. HOSTETLER: Second.

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

MS. ALABACK: Aye.

MR. YOUNG: Aye.

MS. BAUGHMAN: Aye.

MS. HOSTETLER: Aye.

MR. FELTZ: Aye.

MR. FETTMAN: Aye.

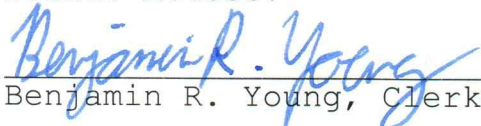
MR. YOUNG: Opposed?

(No response.)

MR. YOUNG: Thank you very much everyone.

(This proceeding adjourned at 5:16 p.m.)

These minutes are unapproved due to dissolution of the Board. Attest:



Benjamin R. Young, Clerk

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF OHIO,)
)
STARK COUNTY.)

I, Shannon L. Newhall, a Registered Professional Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within testimony so given was by me reduced to Stenotype, afterwards prepared and produced by means of Computer-Aided Transcription, and that the foregoing is a true and correct transcription of the testimony so given.

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

I further certify that I am not a relative of, employee of or attorney for any party or counsel, or otherwise financially interested in 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 26(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, this 15th day of April, 2022.

Shannon Newhall
Shannon L. Newhall, Notary Public
My commission expires February 2, 2023.