

CITY OF NORTH CANTON, OHIO

IN RE: )  
 )  
 NORTH CANTON )  
 PUBLIC HEARING )  
 )  
 ) TRANSCRIPT OF PROCEEDINGS  
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Transcript of Proceedings held before North Canton City Council, 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 23rd day of May, 2022, at 6:46 p.m.

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APPEARANCES:

- Matthew Stroia, President
- Daryl Revoldt, Member
- David Metheney, Member
- John Orr, Member
- Stephanie Werren, Member
- Christina Weyrick, Member
- Jamie McCleaster, Member
- Stephan B. Wilder, Mayor
- Catherine Farina, Deputy Director of  
Administration
- Jina Alaback, Director of Finance
- Wayne Boyer, Director of Law
- Benjamin R. Young, Council Clerk
- Kevin Coblentz, Assistant Clerk

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1 MR. STROIA: I now call to order the  
2 public hearing of May 23rd, 2022. The time  
3 is 6:46.

4 Ben, would you please call the roll?

5 MR. YOUNG: Member McCleaster.

6 MR. MCCLEASTER: Here.

7 MR. YOUNG: Member Weyrick.

8 MS. WEYRICK: Here.

9 MR. YOUNG: Member Werren.

10 MS. WERREN: Here.

11 MR. YOUNG: Member Stroia.

12 MR. STROIA: Here.

13 MR. YOUNG: Member Revoldt.

14 MR. REVOLDT: Here.

15 MR. YOUNG: Member Metheney.

16 MR. METHENEY: Here.

17 MR. YOUNG: Member Orr.

18 MR. ORR: Here.

19 MR. YOUNG: Seven present.

20 MR. STROIA: Okay. At this time, we will  
21 begin public comment on the public portion of  
22 the public hearing. Ben, would you read  
23 for -- read the title for the record?

24 MR. YOUNG: An ordinance amending Chapter  
25 1136, Main Street Districts regulations, of

1 the codified ordinances of the City of North  
2 Canton, specifically accessory uses as listed  
3 in Section 1136.05, in order to add thereto  
4 gasoline station as an accessory use  
5 requiring a conditional use permit in the  
6 Main Street North Gateway District.

7 MR. STROIA: Okay. As Ben said, this is  
8 the gas station as an accessory use. At this  
9 time, is there anyone wishing to speak in  
10 favor of Ordinance 24-2022?

11 (No response.)

12 MR. STROIA: Okay. Seeing none, yes, is  
13 there anyone wishing to speak in opposition  
14 of Ordinance 24-2022?

15 MR. OSBORNE: Chuck Osborne, 307 Fairview  
16 Street, Southeast, North Canton, Ohio. My  
17 comments tonight are in opposition to  
18 Ordinance Number 24-2022. Should I start  
19 over here?

20 MR. STROIA: Yeah.

21 (Whereupon, Mr. Boyer enters the room.)

22 MR. OSBORNE: Chuck Osborne, 307 Fairview  
23 Street, Southeast, North Canton, Ohio. My  
24 comments tonight are in opposition to  
25 Ordinance Number 24-2022, which seeks to

1 change the zoning code for the City's  
2 newly-created Main Street Gateway District to  
3 permit a gas station. North Canton has  
4 discouraged gas stations on Main Street in  
5 rewrites of its zoning code in 2003, 2018,  
6 and most recently just last year in 2021.

7 (Whereupon, Ms. Farina enters the room.)

8 MR. OSBORNE: The proposed zone change  
9 would -- would never have been contemplated  
10 before Meijer expressed interest in the  
11 purchase of the former K-Mart property. A  
12 sale to Meijer will allow City officials a  
13 way out of the mess they have created for  
14 themselves when they embark on a misuse of  
15 what is termed land banking.

16 Earlier this year, the events surrounding  
17 the City's 2020 purchase of the K-Mart  
18 property were shared with me by well-known  
19 developer Dan DeHoff. Dan told me that when  
20 the K-Mart property was put on the market  
21 some two years ago, he and developer Bill  
22 Lemmon were interested buyers of the  
23 9.56-acre K-Mart property.

24 They entered into a purchase agreement  
25 with the sellers at that time for the

1 purchase price of \$3.1 million. In the  
2 course of Dan's recounting of events to me,  
3 he provided me with a copy of their  
4 development plans for the property. And I  
5 have a copy of it tonight for members of  
6 Council.

7 Dan shared that Aldi was to be their  
8 first tenant as shown on the development  
9 plans. The plans also show designs for a  
10 restaurant fronting on Main Street. Dan told  
11 me he had hopes of bringing a Panera to that  
12 location. Five other retail buildings were  
13 also planned stretching south from the Aldi  
14 building.

15 When the K-Mart property first went on  
16 the market in 2020, North Canton had only two  
17 years earlier adopted its Main Street  
18 Business District plan -- zoning plan. In  
19 2020, City officials were contemplating yet  
20 another rewrite of the City's Main Street  
21 zoning code, later to be called, and I quote,  
22 the Zoning for North Canton's Second Century,  
23 closed quotes.

24 With North Canton's zoning seemingly  
25 changing often, developers Dan and Bill

1 thought it prudent to meet with City  
2 Administrator Pat DeOrio regarding their  
3 plans for the former K-Mart property should  
4 they consummate their purchase. According to  
5 Dan, he and Bill then met with City  
6 Administrator DeOrio and were told by  
7 Mr. DeOrio that retail development would not  
8 be allowed under the soon-to-change zoning  
9 code. Taking Mr. DeOrio at his word, Dan and  
10 Bill immediately rescinded their offer to  
11 purchase the K-Mart property and terminated  
12 their agreement with Aldi.

13 I would like to make it clear that I am  
14 not speaking -- breaking a confidence. I  
15 spoke with Dan last Friday, and he has no  
16 problem with me speaking publicly about how  
17 North Canton City government wielded great  
18 power to ultimately secure ownership of the  
19 K-Mart property. Weeks ago, I spoke directly  
20 with Bill Lemmon, and he did not contradict  
21 the outcome of the meeting that Dan had  
22 described to me.

23 I should add that North Canton Second  
24 Century Zoning, passed in 2021, ultimately  
25 did not exclude retail development, as City

1 Administrator DeOrio had stated in the  
2 February 2020 meeting. Was this  
3 miscommunication or misrepresentation? North  
4 Canton City officials were able to discourage  
5 two reputable developers from competing for  
6 the purchase of the K-Mart property.

7 The City ultimately paid \$3.4 million  
8 taxpayer dollars for the property. The 200  
9 salaried jobs promised by City officials have  
10 never materialized. Quotes from City  
11 officials in an April 14th, 2020 story by  
12 Repository Reporter Robert Wang offered  
13 further insight into the mindset of City  
14 officials at the time.

15 Councilman Revoldt states in the story,  
16 and I quote, retail development would not  
17 help accomplish the goal of having one job  
18 for every 100 feet of commercial and  
19 industrial building structure in the City,  
20 closed quotes. City Administrator DeOrio  
21 states, and I quote, the City is not  
22 interested in retail exposure. We are not  
23 pursuing this in order to facilitate retail.

24 City officials are now asking this  
25 Council to advocate zoning regulations that



1           were just enacted less than a year ago. Is  
2           Meijer going to dictate the laws of North  
3           Canton? This is a zone change that is being  
4           made under duress. It is wrong to change the  
5           laws of North Canton to appease private  
6           interests. North Canton has discouraged gas  
7           stations on Main Street for decades for good  
8           reason. Maintain our existing zone -- zoning  
9           and vote no on Ordinance 24-2022.

10           I have the development plans, which are  
11           quite attractive. And it would cost the City  
12           nothing to have stepped aside and let Lemmon  
13           and DeHoff make that purchase. And maybe you  
14           could spend the \$7 and a half million you  
15           spent on sewer and sanitary improvements.

16           UNIDENTIFIED SPEAKER: Yes.

17           MR. STROIA: Anyone else wishing to speak  
18           against the ordinance?

19           (No response.)

20           MR. STROIA: This is the last opportunity  
21           to speak to either side.

22           (No response.)

23           MR. STROIA: Okay. Seeing none, moving  
24           on, this will be appearing on the upcoming  
25           Council agenda. Moving on to Ordinance

1 31-2022, Ben, would you read the title for  
2 the record?

3 MR. YOUNG: An ordinance amending the  
4 zoning map of the City of North Canton to  
5 reclassify 2,850 parcels in the City of North  
6 Canton in accordance with the amendment  
7 procedures set forth in Chapter 1182 of the  
8 planning and zoning code, in order to add to  
9 the zoning classification thereof Source  
10 Water Protection Zoning Overlay Districts, in  
11 order to protect the drinking water resources  
12 of the City of North Canton, Ohio.

13 MR. STROIA: Okay. This is the source  
14 water protection zoning overlay, as Ben  
15 mentioned. At this time, is there anyone  
16 wishing to speak in favor of Ordinance  
17 31-2022?

18 MR. OSBORNE: Chuck Osborne, 307 Fairview  
19 Street, Southeast, North Canton, Ohio. I  
20 thought I would shock everybody and come up  
21 here and say I am very much supportive of  
22 this. So it's something that should have  
23 been done -- enacted years ago when we first  
24 created a SWAP committee that was pushed and  
25 ushered through by former Council member

1 Kathy Magel. Council at that time let the  
2 appointments lapse for the members of that  
3 commission or committee, whatever you want to  
4 call it, and it went out of existence. So  
5 someone has finally picked up the ball.  
6 Should I give the applause to Mayor Wilder?  
7 Somebody. City Administrator DeOrio. But  
8 I'm very much in support of it. So thank  
9 you.

10 MR. STROIA: Thank you. Anyone else  
11 wishing to speak in favor?

12 (No response.)

13 MR. STROIA: Anyone wishing to speak  
14 against Ordinance 31-2022?

15 (No response.)

16 MR. STROIA: Okay. Final opportunity to  
17 speak either way.

18 (No response.)

19 MR. STROIA: Okay. This will also appear  
20 on the upcoming agenda. Anything else?  
21 Anyone else?

22 (No response.)

23 MR. STROIA: Motion to adjourn.

24 MR. MCCLEASTER: So moved.

25 MS. WERREN: Second.

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MR. STROIA: All in favor?

MR. ORR: Aye.

MR. METHENEY: Aye.

MR. REVOLDT: Aye.

MR. STROIA: Aye.

MS. WERREN: Aye.

MS. WEYRICK: Aye.

MR. MCCLEASTER: Aye.

MR. STROIA: Opposed?

(No response.)

MR. STROIA: Adjourned. We're taking a short break, and then we'll start the regular Council meeting.

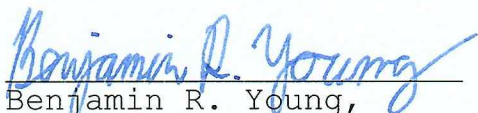
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(This proceeding adjourned at 6:57 p.m.)

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ATTEST:

  
\_\_\_\_\_  
Matthew Stroia,  
Council President

  
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Benjamin R. Young,  
Council Clerk

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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 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, this 26th day of May, 2022.

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