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CITY OF NORTH CANTON, OHIO

IN RE:)	
)	
NORTH CANTON)	
SPECIAL COUNCIL)	
MEETING)	
)	
)	TRANSCRIPT OF PROCEEDINGS
)	

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 North Canton Civic Center, 845 West Maple Street, North Canton, Ohio, on Monday, the 7th day of June, 2021, at 7:44 p.m.

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APPEARANCES:

Daniel Jeff Peters, Chairman

Douglas Foltz

Mark Cerreta

Daryl Revoldt

Stephanie Werren

Dominic Fonte

Matthew Stroia

Stephan B. Wilder, Mayor

Patrick DeOrion, Director of Administration

Catherine Farina, Deputy Director of
Administration

Jina Alaback, Director of Finance

Robert Graham, PE

Martin B. Van Gundy, IV, Chief Building Officer

Benjamin R. Young, Council Clerk

1 MR. PETERS: At this time, I'd like to
2 call to order -- I haven't done that for a
3 while.

4 MR. CERRETA: Do you feel powerful?

5 MR. PETERS: Yeah, I do. I'd like to
6 call to order the North Canton Special
7 Council meeting, June 7th. The time is 7:44.

8 Mark, would you like to lead us in
9 prayer?

10 MR. CERRETA: Sure.

11 (Whereupon, Mr. Cerreta leads us in
12 prayer.)

13 MR. PETERS: Would everyone please stand
14 for the Pledge of Allegiance?

15 (Whereupon, the Pledge of Allegiance is
16 recited.)

17 MR. PETERS: Ben, call the roll, please.

18 MR. YOUNG: Member Revoldt.

19 MR. REVOLDT: Here.

20 MR. YOUNG: Member Fonte.

21 MR. FONTE: Here.

22 MR. YOUNG: Member Cerreta.

23 MR. CERRETA: Here.

24 MR. YOUNG: Member Peters.

25 MR. PETERS: Here.

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MR. YOUNG: Member Foltz.

MR. FOLTZ: Here.

MR. YOUNG: Member Werren.

MS. WERREN: Here.

MR. YOUNG: And Member Stroia.

MR. STROIA: Here.

MR. YOUNG: Seven present.

MR. PETERS: All right. Thank you very much. All right. Next up, recognition of the public. Is there anyone here tonight wish to address Council? Brad?

MR. FONTE: Come on, Brad.

MR. PETERS: You know -- you've got something to say.

MR. FONTE: It has been a whole year, Brad.

MR. PETERS: Okay. You had your chance. Don't say I didn't give you one. All right. Thank you very much.

Moving on to old business, may I have a motion and a second to read by title only Resolution 10-21.

MR. STROIA: Stroia moves.

MS. WERREN: Werren seconds.

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

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MR. FOLTZ: Aye.

MR. PETERS: Aye.

MR. REVOLDT: Aye.

MR. CERRETA: Aye.

MS. WERREN: Aye.

MR. FONTE: Aye.

MR. STROIA: Aye.

MR. PETERS: Opposed?

(No response.)

MR. PETERS: Motion carries.

Ben.

MR. YOUNG: A resolution for the submission of the question of the renewal and increase of a tax levy for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service, or both, in the City of North Canton, Stark County, Ohio.

MR. PETERS: Thank you.

Chairwoman Werren.

MS. WERREN: Okay. We have talked about this a number of times, and we are just asking that we put this on the ballot November 2nd. And I ask to adopt.

MR. FOLTZ: Foltz seconds.

1 MR. PETERS: All in favor, say "aye."
2 MR. FOLTZ: Aye.
3 MR. PETERS: Aye.
4 MR. REVOLDT: Aye.
5 MR. CERRETA: Aye.
6 MS. WERREN: Aye.
7 MR. FONTE: Aye.
8 MR. STROIA: Aye.
9 MR. PETERS: Opposed?
10 (No response.)
11 MR. PETERS: Motion carries. All right.
12 May I have a motion and a second to read by
13 title only Resolution 11-21?
14 MR. STROIA: Stroia moves.
15 MS. WERREN: Werren seconds.
16 MR. PETERS: All in favor, say "aye."
17 MR. FOLTZ: Aye.
18 MR. PETERS: Aye.
19 MR. REVOLDT: Aye.
20 MR. CERRETA: Aye.
21 MS. WERREN: Aye.
22 MR. FONTE: Aye.
23 MR. STROIA: Aye.
24 MR. PETERS: Opposed?
25 (No response.)

1 MR. PETERS: Motion carries.

2 Ben.

3 MR. YOUNG: A resolution for the
4 submission of the question of the renewal and
5 increase of a tax levy for the purpose of
6 providing -- providing additional funds for
7 the City's portion of providing and
8 maintaining fire apparatus or other fire
9 equipment and appliances, and for the payment
10 of permanent, part-time, or volunteer
11 firefighting personnel to operate the same,
12 including the payment of any contributions
13 required for such personnel under ORC
14 Sections 145.48 or 742.34, in the City of
15 North Canton, Stark County, Ohio.

16 MR. PETERS: All right. Thank you.

17 Chairwoman Werren.

18 MS. WERREN: Again, we have discussed
19 this numerous times. I move for this to be
20 asked of the voters if they would like to
21 support this tax levy for the purpose of
22 funding fire.

23 MR. FOLTZ: Motion to approve the second
24 reading.

25 MR. REVOLDT: Revoldt seconds.

1 MR. PETERS: All in a favor, say "aye."
2 MR. FOLTZ: Aye.
3 MR. PETERS: Aye.
4 MR. REVOLDT: Aye.
5 MR. CERRETA: Aye.
6 MS. WERREN: Aye.
7 MR. FONTE: Aye.
8 MR. STROIA: Aye.
9 MR. PETERS: Opposed?
10 (No response.)
11 MR. PETERS: All right. Motion carries.
12 All right. May I have a motion and a second
13 to suspend Council Rule 24 to allow
14 consideration of item 7A without a committee
15 report?
16 MR. REVOLDT: Revoldt moves.
17 MS. WERREN: Werren, second.
18 MR. PETERS: All in favor, say "aye."
19 MR. FOLTZ: Aye.
20 MR. PETERS: Aye.
21 MR. REVOLDT: Aye.
22 MR. CERRETA: Aye.
23 MS. WERREN: Aye.
24 MR. FONTE: Aye.
25 MR. STROIA: Aye.

1 MR. PETERS: Opposed?

2 (No Response.)

3 MR. PETERS: Motion carries. Okay. May
4 I have a motion and a second to read by title
5 only Ordinance 44-21?

6 MR. STROIA: Stroia moves.

7 MS. WERREN: Werren, second.

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

9 MR. FOLTZ: Aye.

10 MR. PETERS: Aye.

11 MR. REVOLDT: Aye.

12 MR. CERRETA: Aye.

13 MS. WERREN: Aye.

14 MR. FONTE: Aye.

15 MR. STROIA: Aye.

16 MR. PETERS: Opposed?

17 (No response.)

18 MR. PETERS: Motion carries.

19 Ben.

20 MR. YOUNG: An ordinance authorizing the
21 appropriation of funds of the City of North
22 Canton to be appropriated for current
23 expenses during the fiscal year ending
24 December 31st, 2021, and declaring the same
25 to be an emergency.

1 MR. PETERS: All right. Chairwoman
2 Werren.

3 MS. WERREN: Okay. We just discussed
4 this, and there was an additional \$64,000,
5 approximately, for a new RMS system. Any
6 other questions, concerns? If not, I move to
7 adopt.

8 MR. FOLTZ: Foltz seconds.

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

10 MR. FOLTZ: Aye.

11 MR. PETERS: Aye.

12 MR. REVOLDT: Aye.

13 MR. CERRETA: Aye.

14 MS. WERREN: Aye.

15 MR. FONTE: Aye.

16 MR. STROIA: Aye.

17 MR. PETERS: Opposed?

18 (No response.)

19 MR. PETERS: Motion carries, May I have
20 a motion and a second to suspend the rules of
21 Council requiring three readings?

22 MR. FOLTZ: Foltz moves.

23 MR. STROIA: Stroia seconds.

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

25 MR. FOLTZ: Aye.

1 MR. PETERS: Aye.
2 MR. REVOLDT: Aye.
3 MR. CERRETA: Aye.
4 MS. WERREN: Aye.
5 MR. FONTE: Aye.
6 MR. STROIA: Aye.
7 MR. PETERS: Opposed?
8 (No response.)
9 MR. PETERS: Motion carries. And,
10 finally, may I have a motion and a second to
11 adopt Ordinance 44-21 under suspension?
12 MS. WERREN: Werren moves.
13 MR. REVOLDT: Revoldt seconds.
14 MR. PETERS: All in a favor, say "aye."
15 MR. FOLTZ: Aye.
16 MR. PETERS: Aye.
17 MR. REVOLDT: Aye.
18 MR. CERRETA: Aye.
19 MS. WERREN: Aye.
20 MR. FONTE: Aye.
21 MR. STROIA: Aye.
22 MR. PETERS: Opposed?
23 (No response.)
24 MR. PETERS: Motion carries.
25 All right. Before we adjourn, Doug and I

1 are not going to be present next Monday.
2 We'll both be out of town. We need to have
3 one more meeting for the final reading of
4 Resolution 10 and 11-21.

5 MS. WERREN: Can we add it to the 21st?

6 MR. PETERS: Pat, what is your timetable?
7 What would be ideal for you?

8 MR. DEORIO: I guess I would really
9 prefer that the attorneys can begin working
10 on this sooner rather than later.

11 MR. PETERS: Later this week then?

12 MR. DEORIO: I mean, we'll bend to the
13 wishes of Council. But if it could be done
14 before the 21st, we'd certainly appreciate
15 it.

16 MR. PETERS: Okay. So --

17 MS. WERREN: So you'd rather have one
18 this week and then not next Monday?

19 MR. PETERS: Correct. Yeah.

20 MR. YOUNG: I believe we only need five
21 votes, so --

22 MR. FOLTZ: Just five.

23 MR. YOUNG: It has to be passed with a
24 two-thirds majority, and 66 percent of seven
25 people would be 4.62. So five votes would be

1 two-thirds.

2 MR. PETERS: So we are not going to have
3 an emergency in the third reading.

4 MR. YOUNG: It can't be passed on
5 emergency.

6 MR. DEORIO: It can't be done on an
7 emergency.

8 MR. PETERS: He's leaving Wednesday, but
9 I'm available.

10 MS. WERREN: Yeah, but then do we -- we
11 are good actually. Do you still want us to
12 do it next Monday?

13 MR. YOUNG: I'm saying, if we have five
14 people Monday, there would still, in theory,
15 be enough votes to pass.

16 MR. PETERS: Everyone else going to be
17 here on Monday? Dom?

18 MR. FONTE: I'm always here.

19 MR. FOLTZ: You are running the meeting.

20 MS. WERREN: Yes.

21 MR. REVOLDT: Hand me that gavel.

22 MR. DEORIO: So how many -- how many will
23 be here?

24 MR. PETERS: Pardon me?

25 MR. DEORIO: How many will be here?

1 MR. PETERS: Five. So we are okay.

2 MR. DEORIO: Are we in agreement with the
3 five?

4 MR. PETERS: Yeah. Are the remaining
5 five in agreement?

6 MR. REVOLDT: Yes.

7 MR. PETERS: I can listen in. Okay.
8 Well, never mind. No additional meeting is
9 going to be needed.

10 MR. DEORIO: And before we adjourn,
11 when -- when the next -- not this next
12 meeting, the special meeting that you are
13 setting up for --

14 MR. PETERS: We don't need a special.

15 MR. FONTE: For the alley.

16 MR. DEORIO: For the -- whatever meeting
17 that we just decided we were going to have.

18 MS. WERREN: On next Monday.

19 MR. DEORIO: Oh, it's next Monday?

20 MR. PETERS: Yeah, we don't need --

21 MR. FOLTZ: Five votes next Monday.

22 MR. DEORIO: Oh, perfect. Well, then for
23 next Monday, I'd also like to afterwards get
24 an executive session scheduled to discuss
25 imminent litigation. So if you would rather

1 do it then or the following Monday, I'm okay
2 with that, too.

3 MR. PETERS: Okay.

4 MR. DEORIO: If you want to get everybody
5 there.

6 MR. PETERS: Can I join in via Zoom on an
7 executive session?

8 MR. DEORIO: I would say not. I know
9 that it will be challenged.

10 MR. PETERS: Okay.

11 MR. STROIA: Ben, what's the rule on
12 that?

13 MR. YOUNG: So the -- people attending by
14 Zoom can no longer vote. So you could sit
15 and listen, but you would not be permitted to
16 vote on anything if a vote was held in
17 executive session.

18 MR. PETERS: We don't vote on anything in
19 executive session anyways.

20 MR. DEORIO: No, we do not.

21 MR. CERRETA: Avengers do it from
22 different planets; we should be able to do
23 it.

24 MS. WERREN: Ben, does he count as being
25 present?

1 MR. YOUNG: No.

2 MR. DEORIO: Ben avoids confrontation.
3 Or I avoid confrontation. Ben seeks it. And
4 I'm good with it. And that's okay. I mean,
5 it's not like -- you could get caught up on
6 it later, even if you didn't attend.

7 MR. PETERS: Yeah, maybe later you can
8 catch us up.

9 MR. DEORIO: That's fine.

10 MR. PETERS: Yeah, so that's fine.
11 Executive session for Monday then.

12 MR. DEORIO: Okay.

13 MR. PETERS: Anything else? Last chance.
14 All right. Good, Mayor? I'll entertain a
15 motion to adjourn this meeting.

16 MR. FOLTZ: Foltz moves.

17 MS. WERREN: Werren, second.

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

19 MR. FOLTZ: Aye.

20 MR. PETERS: Aye.

21 MR. REVOLDT: Aye.

22 MR. CERRETA: Aye.

23 MS. WERREN: Aye.

24 MR. FONTE: Aye.

25 MR. STROIA: Aye.

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MR. PETERS: Opposed?

(No response.)

MR. PETERS: Motion carries. We are
adjourned.

(This proceeding concluded at 7:54 p.m.)

ATTEST:

Daniel Jeff Peters

Vice President

Daniel Jeff Peters,
Council President

Benjamin R. Young

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 14th day of June, 2021.

Shannon Newhall

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