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CITY OF NORTH CANTON, OHIO  
COMMITTEE OF THE WHOLE MEETING

**TRANSCRIPT OF  
JUNE 15, 2020, MEETING  
VIRTUAL MEETING**

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Transcript of Proceedings of the North Canton City Council, taken by me, the undersigned, Laurie Maryl Jonas, a Registered Merit 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, June 15, 2020, at 7:00 p.m.

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APPEARANCES:

- Daryl Revoldt, Council Vice President, At Large
- Doug Foltz, Ward 1
- Stephanie Werren, Ward 3
- Dominic Fonte, Ward 4
- Mark R. Cerreta, At Large
- Matthew Stroia, At Large
- Patrick A. DeOrion, Director of Administration
- Timothy L. Fox, Director of Law
- Jina Alaback, Director of Finance
- Robert G. Graham, Engineering Services
- Catherine A. Farina, Deputy Director of  
Administration and Development
- Stephan B. Wilder, Mayor
- Benjamin R. Young, Council Clerk

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1 MR. REVOLDT: All right, it is now 7 p.m. I'd  
2 like to call to order the North Canton council  
3 committee of the whole meeting.

4 Clerk, would you please call the roll.

5 MR. YOUNG: Member Foltz?

6 MR. FOLTZ: Here.

7 MR. YOUNG: Member Werren?

8 MRS. WERREN: Here.

9 MR. YOUNG: Member Fonte?

10 MR. FONTE: Here.

11 MR. YOUNG: Member Revoldt?

12 MR. REVOLDT: Here.

13 MR. YOUNG: Member Cerreta?

14 MR. CERRETA: Here.

15 MR. YOUNG: Member Stroia?

16 MR. STROIA: Here.

17 MR. YOUNG: President Peters is absent.

18 MR. REVOLDT: May I have a motion to excuse  
19 him?

20 MR. FOLTZ: So moved by Foltz.

21 MRS. WERREN: Second.

22 MR. REVOLDT: And second by Stephanie.

23 MRS. WERREN: Yeah.

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

25 ("Aye" in unison.)

1 MR. REVOLDT: Let's move on to the first item  
2 on the agenda. Finance and Property. Stephanie.

3 MRS. WERREN: Yes. So I was talking to Jina  
4 today, and this is about some of the property that we  
5 are looking at acquiring for the service center.  
6 And, Pat, I'm really going to kind of let you or Jina  
7 take the lead on this and kind of explain what we're  
8 doing.

9 MR. DEORIO: Yes. As you know, we've  
10 acquired three of the four parcels necessary to  
11 construct the new public safety service center, and  
12 this last parcel is critical. It is an absolute  
13 necessity to have it in order to complete it. It is  
14 a 1.37-acre parcel, and that would give us, in total,  
15 3.4 acres, and we need a minimum of 3 acres to  
16 construct this facility.

17 In working with our legal counsel at Baker  
18 Dublikar, they are seeking a declaration of necessity  
19 from the city council that confirms what the  
20 administration has been saying and that this would be  
21 a document that would be used in a filing that would  
22 be expected imminently.

23 MR. FOX: This is Tim.

24 Just to follow up with the director of  
25 administration there. This specific resolution is

1 required under state statutes, it's under Section  
2 719.04. It's a requirement for the city to state  
3 that it is a necessity, and why, and then describe  
4 the property. And it kind of goes in tandem with  
5 another section in the Revised Code, 163.04, and  
6 that's the requirement -- there's essentially a form  
7 to send to the owner of the property and it spells  
8 out the property owner's rights and duties and  
9 requirements and so forth. And that's required at  
10 least 30 days prior to initiating an action to  
11 appropriate.

12 So we're, you know, putting this simply in  
13 place hoping that we're able to resolve it without  
14 getting into litigation. But this is simply one of  
15 the statutory requirements that, if we would need to  
16 move forward, it would be completed in a time it  
17 would be passed by council so that we could move  
18 forward.

19 MR. FONTE: Quick question for you, guys. So  
20 eminent domain looks like it is Big Brother trying to  
21 take the property from the little guy, so what we  
22 probably got to talk about is making sure we  
23 understand that this is an avenue to be fair to the  
24 seller that may sell the property and fair to the  
25 city so they're not gouging, they're getting a fair

1 market value or whatever their -- what's the term  
2 called, Tim? Not fair market value, but they're  
3 looking for --

4 MR. FOX: Yes, it is. In fact, if you get to  
5 that stage, the city would have the burden of  
6 demonstrating that it is indeed essential for its  
7 purpose, and then once that part is completed and the  
8 Court is satisfied the city has met its burden of  
9 demonstrating that then it's turned over to a jury  
10 that will decide what the fair market value of the  
11 property is.

12 MR. FONTE: So, for example, if we want to  
13 give them a very fair amount and they want to gouge  
14 us to death, this is the tool to use to keep it more  
15 balanced and fair for both parties.

16 MR. FOX: Yeah.

17 MR. FONTE: Okay. I just wanted to make sure  
18 that was clear. I don't think a lot of people  
19 understand it. I think a lot of people think it's  
20 like a sledgehammer to take over people's property,  
21 which is not the case.

22 MR. REVOLDT: Dominic, I think it's important  
23 that the record reflect that the city has had  
24 multiple appraisals of this property, has negotiated  
25 in good faith, has offered a very fair price, and

1 those efforts have not produced a result.

2 MR. FONTE: Right. So what I'm getting at  
3 here is, I think, for the record, it's important for  
4 people to realize, because I think, you know, it gets  
5 -- the misconception is that big boy is beating up  
6 little boy to take his property. And, in fact, if  
7 the numbers are on the table, they were some very  
8 generous offerings there; correct?

9 MR. REVOLDT: That is correct.

10 MR. FONTE: Okay. That's all I want to chime  
11 in on.

12 MR. REVOLDT: Okay. Any other questions for  
13 Stephanie?

14 Stephanie, I'm going to assume that we have  
15 at least four votes to proceed with this next week.

16 MRS. WERREN: Yeah. I think so. Let's put  
17 it on the agenda.

18 MR. REVOLDT: And let me ask this question.  
19 Do we have six to allow for an emergency clause?

20 MR. STROIA: I have to abstain. This is  
21 Stroia. I have to abstain from this.

22 MR. REVOLDT: All right. So we know we've  
23 got five. All right. We'll contact Peters and see  
24 where he is. But let's have this written with an  
25 emergency clause. We can always delete it.

1 MR. STROIA: Okay.

2 MR. REVOLDT: All right. Anything else on  
3 this item?

4 MR. FONTE: Thank you.

5 MR. REVOLDT: Seeing none then, let's move on  
6 to Street and Alley. Dominic.

7 MR. FONTE: Okay. So this is something that  
8 Pat is going to talk about here in a second, but  
9 there's a section of sidewalk on -- I think it's  
10 Weber kind of dead ends in the corner there and then  
11 you have a big blank of green space all the way to  
12 the school. And I think what the idea is, is Pat's  
13 going to talk about a way to let's just get an  
14 estimate to see what this would be, get a few bids  
15 and then maybe bring back to council to discuss as a  
16 possibility.

17 So, go ahead, Pat.

18 MR. DEORIO: Thank you, Mr. Chairman.

19 Yes. As you know, the history has been that  
20 there are a number of residents in the surrounding  
21 area along 7th Street that for some time sought the  
22 installation of a sidewalk that would connect from,  
23 you know, basically where Dominic was at and get  
24 it -- get it connected to the school. The  
25 administration has been working on this for some



1 time. We've directed the city engineer to canvass  
2 the area, come up with a plan, knock on the doors,  
3 develop a plan on the north side or the south side,  
4 you know, which would -- you know, where could we get  
5 it to work, and then figure out ideally, if we were  
6 bidding it out, what this might cost. Now -- and we  
7 put money in the budget for this, but unfortunately,  
8 because of COVID, we've had to pull back on all of  
9 our projects that worked involving federal dollars or  
10 state dollars that we had to move forward with but  
11 everything else we've kind of put on hold pending a  
12 review of our finances, you know, a little bit later  
13 into the -- into the summer.

14 So what I would like to do is I'm hoping  
15 that, you know, perhaps, you know, as we reach the  
16 end of summer that we may get, you know, a green  
17 light of financial health to proceed with some  
18 portion of some projects. And if that's the case, I  
19 wouldn't want to waste any time trying to ramp up the  
20 project from start. So I think with all the  
21 preliminary work that's been done, the interest in  
22 the community, that council has, last year, changed  
23 the sidewalk ordinance to allow, at council's  
24 discretion, to install sidewalks, particularly on  
25 the -- in an area where it's going to or from a

1 school, that if we could get -- figure out what the  
2 cost to do the project is for real, that might be  
3 able to free up a green light in the fall to move  
4 ahead. So I'm only asking for authorization to  
5 advertise and receive bids at this time. When that  
6 process is completed -- you know, those bids are good  
7 for approximately 60 days. Then we could be looking  
8 at what our financial health is and come back to  
9 council and say, hey, this is what we know, you know,  
10 we may have a green light to proceed, what does  
11 council want to do.

12 MR. FONTE: I think it's a great, great idea  
13 and I think Mark and several others on the call,  
14 we've talked about this for years, guys. We want to  
15 correct -- connect, you know, these walkable areas,  
16 especially around the parks and the downtown district  
17 and schools, you know, library, we want to make sure  
18 everybody's interconnected now because that's where  
19 it's going. And I think it's a great idea. I say  
20 let's put it on the agenda for an emergency to get  
21 bids and just to see what we're really talking about.  
22 So if we get a green light, we can move forward with  
23 it.

24 MR. REVOLDT: Dominic, I think what we'd like  
25 to do is, in the draft legislation, delete the phrase

1 "enter into a contract" because we're not authorizing  
2 that. We're just authorizing advertising and  
3 receiving bids.

4 MR. FONTE: I get it. So if we change that  
5 to state that, that would be fine.

6 MR. REVOLDT: All right. I'm going to  
7 assume, Dominic, that you have four votes to put this  
8 on the agenda next week on an emergency.

9 MR. FONTE: I have a sense we will.

10 MR. REVOLDT: Okay. Well, we should have --  
11 is there anyone who opposes putting this on the  
12 agenda next week? Then let --

13 MR. STROIA: This is Stroia. I'm very -- I  
14 think this is a big safety issue, honestly. Growing  
15 up on the street on 7th Street, that might be one of  
16 the highest pedestrian traffic areas without a  
17 sidewalk in the city; that you consider its proximity  
18 to the school with all the events going on, I'm very  
19 much in support of it.

20 MR. FONTE: It's a smart move. Smart move.

21 MR. STROIA: Yep.

22 MR. REVOLDT: All right. Then we'll have the  
23 minutes reflect that the committee authorizes this  
24 four affirmative votes. That concludes our meeting  
25 for this evening. May I have a motion to adjourn?

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MR. FOLTZ: So moved.

MR. REVOLDT: Is that -- Maryl -- Maryl, do you have something?

COURT REPORTER: That is not me saying anything.

MR. REVOLDT: Okay.

COURT REPORTER: Thank you.

MR. REVOLDT: Do I have a motion to adjourn?

MR. FOLTZ: Yes. Motion by Foltz.

MR. CERRETA: Cerreta. Second.

MR. REVOLDT: All in fair, say "aye."

("Aye" in unison.)

MR. REVOLDT: Opposed? All right. Very good. The committee of the whole meeting is concluded.

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Meeting adjourned at 7:12 p.m.

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Attest:

  
Benjamin R. Young  
Clerk of Council

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Daniel Jeff Peters  
City Council President

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C E R T I F I C A T E

STATE OF OHIO )  
                  )SS  
STARK COUNTY   )

I, Laurie Maryl Jonas, a Registered Merit Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that this meeting was by me reduced to Stenotype and afterwards prepared and produced by means of Computer-Aided Transcription, and that the foregoing is a true and correct transcription.

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

I further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in the event of 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, on this 22nd day of June, 2020.

*Laurie Maryl Jonas*  
\_\_\_\_\_  
Laurie Maryl Jonas, RMR & Notary Public.  
My commission expires January 6, 2022.

<p><b>COURT REPORTER:</b> [2] 12/4 12/7 <b>MR. CERRETA:</b> [2] 3/14 12/10 <b>MR. DEORIO:</b> [2] 4/9 8/18 <b>MR. FOLTZ:</b> [4] 3/6 3/20 12/1 12/9 <b>MR. FONTE:</b> [12] 3/10 5/19 6/12 6/17 7/2 7/10 8/4 8/7 10/12 11/4 11/9 11/20 <b>MR. FOX:</b> [3] 4/23 6/4 6/16 <b>MR. REVOLDT:</b> [22] <b>MR. STROIA:</b> [5] 3/16 7/20 8/1 11/13 11/21 <b>MR. YOUNG:</b> [7] 3/5 3/7 3/9 3/11 3/13 3/15 3/17 <b>MRS. WERREN:</b> [5] 3/8 3/21 3/23 4/3 7/16</p>	<p>acres [2] 4/15 4/15 action [2] 5/10 13/13 adjourn [2] 11/25 12/8 adjourned [1] 12/17 administration [5] 2/8 2/12 4/20 4/25 8/25 advertise [1] 10/5 advertising [1] 11/2 affiliated [1] 13/14 affirmative [1] 11/24 affixed [1] 13/16 afterwards [1] 13/7 agenda [5] 4/2 7/17 10/20 11/8 11/12 ahead [2] 8/17 10/4 Aided [1] 13/8 Akron [1] 1/24 Alaback [1] 2/10 all [14] Alley [1] 8/6 allow [2] 7/19 9/23 along [1] 8/21 always [1] 7/25 am [3] 13/11 13/14 13/14</p>	<p>beating [1] 7/5 because [4] 7/4 9/8 10/18 11/1 been [4] 4/20 8/19 8/25 9/21 Benjamin [2] 2/14 12/23 bidding [1] 9/6 bids [5] 8/14 10/5 10/6 10/21 11/3 big [4] 5/20 7/5 8/11 11/14 bit [1] 9/12 blank [1] 8/11 both [1] 6/15 boy [2] 7/5 7/6 bring [1] 8/15 Brother [1] 5/20 budget [1] 9/7 burden [2] 6/5 6/8</p>	<p>13/8 concluded [1] 12/15 concludes [1] 11/24 confirms [1] 4/19 connect [2] 8/22 10/15 connected [1] 8/24 consider [1] 11/17 construct [2] 4/11 4/16 contact [1] 7/23 contract [2] 11/1 13/15 corner [1] 8/10 correct [4] 7/8 7/9 10/15 13/9 cost [2] 9/6 10/2 could [4] 5/17 9/4 10/1 10/7 council [12] 1/13 2/2 2/14 3/2 4/19 5/17 8/15 9/22 10/9 10/11 12/23 12/23 council's [1] 9/23 counsel [2] 4/17 13/12 COUNTY [1] 13/4 court [3] 1/24 6/8 13/14 COVID [1] 9/8 critical [1] 4/12</p>	<p>done [1] 9/21 doors [1] 9/2 Doug [1] 2/3 downtown [1] 10/16 draft [1] 10/25 Dublikar [1] 4/18 duly [1] 13/6 duties [1] 5/8</p>
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