

CITY OF NORTH CANTON, OHIO
COMMITTEE OF THE WHOLE MEETING

TRANSCRIPT OF
SEPTEMBER 19, 2022, 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, September 19, 2022, at 7:00 p.m.

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APPEARANCES :

Matthew Stroia, Council President, At Large

Stephanie Werren, Council Vice President, Ward 3

Jamie McCleaster, Ward 1

David Metheney, Ward 2

John Orr, Ward 4

Daryl Revoldt, At Large

Christina Weyrick, At Large

Patrick A. DeOrio, Director of Administration

Jina E. Alaback, Director of Finance

Stephan B. Wilder, Mayor

Benjamin R. Young, Clerk

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1 MR. STROIA: Okay. Ready?

2 MR. YOUNG: Yep.

3 MR. STROIA: Okay. I now call to order the
4 committee of the whole meeting of September 19, 2022.
5 The time is 7 p.m.

6 Ben, would you please call the roll.

7 MR. YOUNG: Member Metheney.

8 MR. METHENEY: Here.

9 MR. YOUNG: Member Weyrick.

10 MS. WEYRICK: Here.

11 MR. YOUNG: Member McCleaster.

12 MR. MCCLEASTER: Here.

13 MR. YOUNG: Member Werren.

14 MRS. WERREN: Here.

15 MR. YOUNG: Member Stroia.

16 MR. STROIA: Here.

17 MR. YOUNG: Member Revoldt.

18 MR. REVOLDT: Here.

19 MR. YOUNG: Member Orr.

20 MR. ORR: Here.

21 MR. YOUNG: Seven present.

22 MR. STROIA: Perfect.

23 Community and Economic Development. Daryl.

24 MR. REVOLDT: Mr. President, with your
25 permission, I would like to make a motion to amend

1 the agenda this evening to include Item 3(e). This
2 would be an authorization by council to the
3 administration on emergency to apply for a national
4 reclamation conservation grant. The reason we'd like
5 to do this on emergency and for the amendment is we
6 have a September 30 deadline. So I will make that
7 motion.

8 MR. STROIA: Okay. Second the motion to
9 that.

10 All in favor?

11 ("Aye" in unison.)

12 MR. STROIA: Opposed? Motion carries.

13 MR. REVOLDT: Perfect.

14 You have in your packets Item 3a, which is an
15 ordinance amending Chapter 705 of our DORA
16 legislation. We are bringing it into line with the
17 Ohio Revised Code. If you go to page 9, I put in
18 your packets you will find in the beginning of the
19 amendments, you will note that these have been
20 highlighted by strikes, if you will, so it should be
21 relatively clear on pages -- pages 9, 10, and 11.
22 Sections 705.01, 02, and 04. I think I've got it
23 all, do I not? Ben?

24 MR. YOUNG: I would have to look.

25 MR. REVOLDT: Okay.

1 MR. YOUNG: But I will trust you.

2 MR. REVOLDT: But at any rate, one of the
3 things we have to do is, if you will look at first
4 amendment, which you'll find on page 10, statute
5 requires that we actually note in our ordinance the
6 boundaries, which has occurred.

7 If you go to Section 705(c), it appears we've
8 done a little tinkering again to line up with the
9 Ohio Revised Code. This regards DORA cups, striking
10 plastic, designating it as non-glass. We deleted
11 that section. And if you go down to Section 704(b),
12 you'll notice that we have inserted alcohol-free.

13 So those are the three changes. Is there any
14 discussion? If there are none, I'll make a motion
15 that we place this on the agenda for a first reading
16 next Monday night.

17 MR. MCCLEASTER: Second.

18 MR. STROIA: All in favor?

19 ("Aye" in unison.)

20 MR. STROIA: Opposed? Motion carries.

21 MR. REVOLDT: Very good. This is the one
22 that we've all been waiting for anxiously. Item
23 3(b). I'd like to propose to send to planning
24 commission -- I'll have Dave jump in here in just a
25 second, but Mr. Metheney is proposing as -- with the

1 support of the administration, that we introduce a
2 new type of driveway surface. This is this
3 interlocking grid that is more environmentally
4 responsive and that it's not -- it's not hard
5 surface, it allows rainwater and snow to melt
6 through.

7 Dave, do you want to explain what the
8 background for this request is?

9 MR. METHENEY: So at the planning commission
10 meeting -- no zoning. Zoning.

11 MR. YOUNG: ZBOA.

12 MR. METHENEY: Yes. Thank you for
13 clarifying.

14 There were actually two residents; one was
15 getting a variance to have a higher roof on their
16 garage and the other one wanted to build a garage and
17 extend their gravel driveway. Well, under our
18 current ordinances, that if you make changes such as
19 adding a garage, you need to have a concrete or an
20 asphalt driveway. So residents in my ward wanted to
21 maintain the gravel driveway they have. It is more
22 period correct to their home. They wanted to
23 maintain the esthetic look of that. They have been
24 shopping, talking to contractors that provide this
25 grid setup that you put an aggregate in that keeps it

1 in place. And concern with never having -- with that
2 in the past has always been the gravel gets into the
3 street and it gets into the sewers and creates a
4 problem. This grid is what helps keep that gravel in
5 place. So it's actually a third option that we want
6 to go down because the grid is actually being used on
7 very high-end builds. Those grids are being used in
8 large parking lots because it's economically -- or
9 economically it's a little better, but more
10 importantly is for the environment.

11 So instead of all that water from the parking
12 lots -- in this case from the long driveways --
13 moving into the sewer system and creating flooding
14 issues, that water soaks through the aggregate, into
15 the ground back where it needs to be in the yard. So
16 it actually helps in more than one area.

17 So we talked to the residents; Mr. DeOrion
18 stepped up right after the meeting and said let's
19 look at this as an option. Currently our ordinance
20 is decades old, didn't take that into consideration,
21 and I think that it will add to the environment, it
22 will add to the esthetics of homes, and it will give
23 individuals options when they're adding garages or
24 other things to their property to -- to be able to
25 put the correct access to the garage.

1 If you haven't seen pictures of it -- I wish
2 we could pull up some pictures of what that looks
3 like.

4 MR. REVOLDT: McKinley Museum -- Library
5 Museum has a large parking lot. (inaudible).

6 MR. METHENEY: It's -- it's a grid system and
7 they tamp down the aggregate.

8 MR. REVOLDT: South side. South side. Boom.

9 MRS. WERREN: So that's nice.

10 MR. METHENEY: So that's what it looks like
11 in a parking lot.

12 MR. MCCLEASTER: What's the grid made out of?
13 Is it plastic or concrete?

14 MR. METHENEY: I'm sure it's some sort of
15 plastic.

16 MR. STROIA: There's all sorts. It could be
17 concrete. Some sort of --

18 MR. MCCLEASTER: I could see one like that.

19 MR. ORR: Would it be similar to chip and
20 seal?

21 MR. METHENEY: No.

22 MR. MCCLEASTER: No.

23 MR. STROIA: It's permeable.

24 MR. METHENEY: There's no -- there's no --

25 MR. REVOLDT: Snow plowing it might be

1 difficult.

2 MR. METHENEY: Well, if you snowplow your
3 gravel driveway you're pushing it out into the street
4 anyhow. This way the gravel stays at or below the
5 grid.

6 MR. REVOLDT: This also might help us, too,
7 where we've got some situations where we have
8 recreational vehicle owners who have campers, who
9 have boats. This gives you a little less expensive
10 option, I venture, probably.

11 I would -- I would call your attention to
12 what would be on page 16. There are two different
13 elements to note. First is that if you look at the
14 very top of 16, this would be the second section, if
15 you notice in (d) the pavers that the director of
16 administration, or excuse me, the director of permits
17 shall review these, (a), and (b), is that the
18 driveway aprons must be concrete. So they can't run
19 it right out to the street. So I think we've got
20 this covered. As Mr. Metheney reminded me of my
21 favorite words, let's try it.

22 MR. METHENEY: I did pull that one on you.

23 MR. REVOLDT: We can always reverse course.

24 MR. METHENEY: Mr. Graham was in favor of
25 that, too. He was the one that we went to to talk to

1 about the aprons and make sure that doesn't get into
2 the street.

3 MR. REVOLDT: We probably should note for the
4 Record, on the evening of the ZBOA meeting,
5 Mr. DeOrio woke me from a sound slumber to express
6 his enthusiasm. He called right away and said he's
7 game.

8 So, any other questions? We're sending this
9 to the planning commission. That's the plan.

10 MR. YOUNG: You have to adopt the resolution
11 first.

12 MR. REVOLDT: We have to adopt?

13 MR. YOUNG: Yeah.

14 MR. REVOLDT: So I will make that motion.

15 MR. METHENEY: I will second the motion.

16 MR. STROIA: All in favor?

17 ("Aye" in unison.)

18 MR. STROIA: Opposed? Motion carries.

19 MR. REVOLDT: Okay. Item 3(c) is the heavy
20 lift portion. We don't have to work on this this
21 evening, but we have in your packet 3 -- 3 -- 3(c)
22 and 3(d) are companion pieces. We are going to
23 propose this to repeal Chapter 1151, our sign
24 ordinance and replace it with a new chapter, maybe
25 have it stretched out.

1 Patrick, do you want to just touch on this?
2 And I don't want to belabor it because, again, we're
3 going to send this to planning.

4 MR. DEORIO: Yeah. This is something I've
5 been working on since my return here. The US Supreme
6 Court, in this interim, had made a ruling in Reed
7 versus Tempe, Arizona, that kind of changed the
8 landscape for municipal sign ordinances. So we've
9 been kind of, you know, holding in abeyance a strict
10 enforcement of the existing sign code because we did
11 not want to run afoul of this legislation.

12 So we began a year ago, with a committee
13 consisting of the law director, superintendent of
14 permits, myself, council clerk, and code enforcement
15 officers, and with that, you know, getting
16 information out of the -- out of the files of various
17 records we had regarding sign instances and then
18 combined that with a drive-through of the city over
19 the summer noting, you know, different examples of
20 new signs that were out there. So with all this
21 information in a year rewrite we kind of got it to a
22 point where we think it's compliant with -- with
23 federal law, we think that it is something that's
24 current, that basically will count existing signs as
25 opposed to signs that exist in abundance maybe 20, 30

1 years ago. Things that are more relevant today.
2 Trying to regulate that and do it in a way that our
3 code enforcement officers will be able to know in a
4 readily responsive manner whether something is in
5 compliance or not and be able to deal with it on the
6 -- on the spot.

7 So it's taken a huge lift to get it here but
8 we're very excited about it. We can't wait to get it
9 in force and if you forward it over to planning and
10 see if we can get this thing moving, we could have
11 this in effect perhaps by the first of the year.

12 MR. REVOLDT: Council? Questions or comments
13 at this juncture?

14 I want to indicate that it's important to do
15 this in tandem. We don't want to repeal it before we
16 have the new one ready to go so we'll sent both over
17 and they'll both come back and we'll move from there.
18 But the first -- the first motion is to send the
19 appeal to the planning commission, Chapter 111 -- or
20 1151.

21 MR. MCCLEASTER: So did you make a motion?

22 MR. REVOLDT: I made the motion.

23 MR. MCCLEASTER: Okay. I'll second.

24 MR. STROIA: All in favor?

25 ("Aye" in unison.)

1 MR. STROIA: Opposed? Motion carries.

2 MR. REVOLDT: And Item 3(d) is to send the
3 new chapter to the planning commission. And I will
4 make that motion.

5 MR. STROIA: Let's do the -- let's motion to
6 send it for consideration first. So can we have a
7 motion and second to suspend further consideration of
8 Item 3(c) until the planning commission has made a
9 recommendation.

10 MRS. WERREN: So moved.

11 MR. MCCLEASTER: Second.

12 MR. STROIA: All in favor?

13 ("Aye" in unison.)

14 MR. STROIA: Opposed? Motion carries.

15 Can I have a motion and a second to send Item
16 3(d) to the planning commission for consideration?

17 MR. REVOLDT: Yes, I will make that motion.

18 MR. MCCLEASTER: Second.

19 MR. STROIA: All in favor?

20 ("Aye" in unison.)

21 MR. STROIA: Opposed? Motion carries.

22 And can I have a motion and a second to
23 suspend further consideration of Item 3(d) until the
24 planning commission has made a recommendation.

25 MR. REVOLDT: So moved.

1 MR. MCCLEASTER: Second.

2 MR. STROIA: All in favor?

3 ("Aye" in unison.)

4 MR. STROIA: Opposed? Motion carries.

5 MR. REVOLDT: All right. Now, we have a
6 prior amended item, 3(e). This was, as I discussed
7 at the time of the motion, this is to authorize, on
8 an emergency basis, this application for the director
9 of administration for the national reclamation
10 conservation grant deadline. That is my motion.

11 MR. METHENEY: Second.

12 MR. STROIA: All in favor?

13 ("Aye" in unison.)

14 MR. STROIA: Opposed? Motion carries.

15 Okay. Finance and Property.

16 MRS. WERREN: Okay. It is \$425,000 and it is
17 for a cover for the structure for our salt dome.

18 Patrick, do you want to talk about this?

19 MR. DEORIO: I would add that this has been
20 like the search for the Holy Grail. The council,
21 you've been a part of, you know how far back this
22 goes. We've been trying to figure this out for a
23 long time so I'm glad to be on the team that has
24 figured it out.

25 MRS. WERREN: Yeah, I wish we figured it out

1 when it was half the price.

2 MR. DEORIO: I do, too. But fortunately, we
3 have the right player personnel on board and we were
4 able -- we were able to advance this forward and it
5 is at the current location, so the rebuild of the
6 structure that is there.

7 MRS. WERREN: Okay. Then I move to adopt on
8 an emergency.

9 MR. REVOLDT: Second.

10 MR. STROIA: All in favor?

11 ("Aye" in unison.)

12 MR. STROIA: Opposed? Motion carries.
13 Ordinance and Rules. John.

14 MR. ORR: This is a resolution to approve and
15 adopt the current replacement pages to the codified
16 ordinances of the City of North Canton. We share, if
17 I understand this right, some of the code we're
18 using.

19 MR. YOUNG: We borrow parts of our traffic
20 and criminal code from the Ohio Revised Code, so once
21 a year we doublecheck what's changed in the Ohio
22 Revised Code and then update our local ordinances to
23 reflect that.

24 MR. ORR: So that's what we're going to be
25 doing on this. Questions or -- I'll make a motion.

1 MR. STROIA: Stroia seconds.

2 MR. YOUNG: A motion to?

3 MR. ORR: Adopt the ordinance to approve that
4 we have our own codes.

5 MR. STROIA: Stroia seconds.

6 All in favor?

7 ("Aye" in unison.)

8 MR. STROIA: Opposed? Motion carries.

9 MR. ORR: And then -- well, we didn't really
10 have to vote on this, did we not? You said no motion
11 necessary.

12 MR. STROIA: This -- this one.

13 MR. YOUNG: This next one, yeah.

14 MR. ORR: And then continued discussion of
15 potential future charter amendment in the event
16 Ordinance 47-2022 is adopted by the voters relating
17 to the procedures for filling vacancy. That would be
18 like in case of the death of the mayor, that it would
19 go to the city council president was one example.

20 MR. YOUNG: So our current charter is if the
21 mayor leaves, the council president becomes the
22 mayor. And what you all had asked for a draft of was
23 filling vacancies by election instead of by council
24 appointment.

25 MR. ORR: Right. Exactly. You better

1 explained it.

2 MR. MCCLEASTER: Unexpired term.

3 MR. REVOLDT: Again for us, we are asking the
4 voters to increase the terms of the council and the
5 mayor from two to four years.

6 One of the questions that came up is, is it
7 appropriate with a vacancy due to death, resignation,
8 what have you, to have someone -- to have someone who
9 is appointed to fill that vacancy essentially get to
10 serve for three years. And the answer is, we don't
11 think so. At least I don't think we do. I speak for
12 myself. What we are proposing tonight is to place on
13 a future ballot, assuming we get to four years, is to
14 have a provision that requires an election if there
15 are basically just slightly more than two and a half
16 years left in a term. That's what we're after. So,
17 in other words, that appointee will have to stand at
18 the next municipal election to hold that office. And
19 then assuming that he or she is elected, they will
20 serve out the remainder of that term.

21 So we think this is pretty orderly and,
22 again, it allows the voters, the citizens, to kind of
23 weigh in on that point, particularly for council,
24 that our charter says, is when there's a vacancy, the
25 council selects the replacement. Okay? So the

1 council will continue to select the replacement.
2 However, if it occurs with more than two years, that
3 replacement will go on the ballot and we will have a
4 municipal election every two years, so they'll fall
5 in that election.

6 MR. ORR: Do we necessarily, let's say
7 because this will be two ballot issues, one for the
8 mayor and one for council. Will it be the same for
9 both?

10 MR. YOUNG: No, the draft as written will
11 only impose this for council.

12 MR. ORR: The council.

13 MR. YOUNG: The mayor -- the mayor would stay
14 the same system that there currently is. That's in
15 this draft.

16 MR. ORR: Okay.

17 MS. WEYRICK: So when that person who was
18 appointed then is placed on the ballot in six months,
19 is that for a two-year term or a four-year term?

20 MR. REVOLDT: Think about it this way.

21 MS. WEYRICK: Okay.

22 MR. REVOLDT: Okay. We're going to have --
23 we're going to go to four-year terms; all right?

24 MS. WEYRICK: Yeah.

25 MR. REVOLDT: So if that vacancy occurs in

1 the first two years minus 90 days, that person is
2 going to go on the ballot.

3 MS. WEYRICK: Uh-huh.

4 MR. MCCLEASTER: For the unexpired term.

5 MR. REVOLDT: So that would be almost five
6 years. So let's assume it's an at-large seat. That
7 person who has filled by appointment the at-large
8 seat will get on the ballot with the ward councilmen
9 who will be up at that next election. And they get a
10 two-year term. They finish it out.

11 MS. WEYRICK: Okay.

12 MR. REVOLDT: Does that answer your question?

13 MS. WEYRICK: Yeah. Absolutely.

14 MR. REVOLDT: That's the idea. Just giving
15 the voters, again, a touch, okay. That, frankly, is
16 a good -- I think it's a good emphasis for -- for the
17 council to appoint someone who is a credible
18 candidate.

19 MS. WEYRICK: So someone can run against that
20 person?

21 MR. REVOLDT: Absolutely. Absolutely.

22 MS. WEYRICK: Okay.

23 MR. YOUNG: I apologize if I misunderstood
24 the last time, but that's not quite the draft that I
25 had legal write. So this draft is based off of the

1 township ORC provisions that you pointed out. So if
2 a vacancy occurs in the first two years minus 90
3 days, it is filled by election at the next election
4 date. There is no appointment until the election.
5 It would be vacant until the election.

6 MR. REVOLDT: No, that -- that can't be.

7 MR. YOUNG: Okay.

8 MR. REVOLDT: That cannot be.

9 MR. MCCLEASTER: So that's a good point.
10 Because you could have -- you could go essentially
11 two years without somebody --

12 MR. REVOLDT: We don't want -- we don't want
13 a six- --

14 MR. YOUNG: Well, it's not -- it's the next
15 municipal. Whatever the next election is. So it's
16 not every two years.

17 MR. REVOLDT: It's my -- okay. Let's --
18 let's re-craft this.

19 MR. YOUNG: Okay.

20 MR. REVOLDT: It is the next municipal
21 election.

22 MR. MCCLEASTER: Uh-huh. And there would
23 have to be a provision for appointment, because let's
24 say somebody gets hit by a bus the day after they're
25 sworn in. You can't go another two years.

1 MR. REVOLDT: Say you have two members of
2 council who are driving to Columbus get killed in an
3 automobile accident.

4 MR. MCCLEASTER: Exactly.

5 MR. REVOLDT: Suddenly you have only five
6 members, and you can conduct no business on
7 emergency --

8 MR. MCCLEASTER: Right.

9 MR. REVOLDT: -- during that period. Not to
10 be able to appoint somebody.

11 MR. MCCLEASTER: Absolutely.

12 MR. REVOLDT: But the weight of it is, the
13 person that council appoints has to stand for
14 election the next municipal election.

15 MR. MCCLEASTER: Uh-huh.

16 MR. REVOLDT: So we'll get this cleaned up.
17 And I think it's really important that be explicit.
18 Because it was my understanding was the municipal.
19 We need the word in there. Good catch.

20 Okay. Mr. DeOrio.

21 MR. DEORIO: Yes. So two -- two questions.
22 Just make sure that I understand and it's clear. Did
23 you say that this is applicable to the office of
24 mayor?

25 MR. REVOLDT: No.

1 MR. DEORIO: And why not?

2 MR. REVOLDT: Why? Because the charter is
3 explicit that the president of council become --
4 become the mayor. Becomes the mayor.

5 MR. DEORIO: But will then that person have
6 to stand for election in the next municipal year?

7 MR. REVOLDT: Not according to this
8 provision.

9 MR. DEORIO: Why not?

10 MR. REVOLDT: I think it would be unwise for
11 a number of reasons I can articulate later but I
12 would not do it, off the top of my head.

13 MR. DEORIO: Okay. And then --

14 MRS. WERREN: Do you have a choice
15 (inaudible).

16 MR. REVOLDT: Let me just -- let me answer
17 your question this way. Let's assume for the sake of
18 argument that you've got an individual who is willing
19 to serve as council president but he may not be
20 willing if he's obliged to turn around and run right
21 away for mayor. It may mean that you have people who
22 don't want to serve --

23 MRS. WERREN: Right.

24 MR. REVOLDT: -- as council president.

25 MRS. WERREN: Right.

1 MR. REVOLDT: And with all due respect, I
2 happen to believe this is the more powerful job than
3 the mayor. No offense, Mayor, but this is the one
4 that -- and I just -- I think it's -- I would not go
5 down that route at this point. I would not recommend
6 it. But, you know, I defer to council.

7 MR. DEORIO: And second is the question on
8 how you refer, you said to the next municipal
9 election.

10 MR. REVOLDT: Yes.

11 MR. DEORIO: There could be better wording,
12 perhaps, for we say the next general municipal
13 election because there can be special elections.

14 MR. REVOLDT: General election.

15 MR. MCCLEASTER: Good catch.

16 MR. METHENEY: Let's state that. The next
17 general election of municipal officers is probably --

18 MR. DEORIO: I know what it says, but I know
19 what he said. What he said wasn't what was said and
20 therefore what was said wasn't said.

21 MR. MCCLEASTER: Who's on first?

22 MR. REVOLDT: But I -- see, that's exactly
23 right. And, you know, we've had, for example, we've
24 had municipal specials for EMS. Again, the idea
25 is -- is to give people who might be considering

1 running, give them a fair shot at it. So your point
2 is if everybody knows that this is the marker date,
3 plus 90/minus 90, that keeps it clean.

4 MR. METHENEY: What would happen? You know,
5 I think Stephanie said he's now mandated to become
6 mayor.

7 MR. REVOLDT: And run.

8 MRS. WERREN: Yeah. We're saying he wouldn't
9 now have to run; right? I agree.

10 MR. MCCLEASTER: My recommendation would be
11 not to.

12 MRS. WERREN: Yeah.

13 MR. METHENEY: That would put president of
14 council potentially with a resignation as mayor for a
15 four-year term.

16 MR. REVOLDT: Yes, it would. Absolutely. He
17 could. He could.

18 MR. METHENEY: Is that fair to the residents?

19 MR. REVOLDT: Fair question. I'm thinking
20 about how the internal mechanics work selecting a
21 council president with a possibility that they might
22 have to jump into another election having spent --
23 somebody's run at-large, spent a ton of cash, they
24 got to turn around and run now another campaign.

25 MR. MCCLEASTER: Right.

1 MR. METHENEY: And if they lose in the
2 campaign as mayor, they can't come back to council.

3 MR. REVOLDT: They're done. They're done.

4 MR. METHENEY: A lot of risks there.

5 MR. REVOLDT: So if we come to somebody and
6 we say, hey, we'd like you to become council
7 president for these reasons and he says no, you're
8 out.

9 MR. METHENEY: Of course, at that point you
10 could refuse to run as mayor and run as -- on city
11 council for the next election and mayor would become
12 open. And go back to -- and go back to council at
13 the next general municipal election.

14 I think we need to side on the side of
15 residents here. They didn't choose that individual
16 for what could be a three- or four-year term to be
17 mayor.

18 MR. DEORIO: Is there a provision within the
19 council rules and charter that specifies to the
20 council when -- how long they must take to fill a
21 vacancy of their own membership?

22 MR. YOUNG: Yes, there is. "If council shall
23 fail to fill a vacancy in the office of council
24 member within 30 days from the date of such vacancy
25 occurs then the power of council to do so shall lapse

1 and the mayor shall fill it by appointment. Any such
2 appointment to president or vice president may be
3 from among all members of council. Any appointment
4 of a council member representing a ward shall be
5 filled from that ward."

6 MR. STROIA: What section is that?

7 MR. YOUNG: 5.05. About halfway down.

8 Paragraph 2.

9 MR. DEORIO: Could the mayor appoint himself
10 to fill the vacancy?

11 MR. MCCLEASTER: H'm.

12 MR. DEORIO: I was thrust into this position
13 but did not want to accept it. Appoint myself to
14 fill the vacancy. In the meantime, you will have
15 elected a new president.

16 MR. MCCLEASTER: That's if it goes 30 days.
17 But that's a good question.

18 MR. REVOLDT: I think the vacancies would be
19 filled. But I have one that might occur preholiday,
20 pre-Christmas, burn through that calendar pretty
21 quick. And then you'll have to come back in on
22 recess, but the question is can we get people in to a
23 meeting between January 15th and 30th.

24 MR. METHENEY: Do we know what other cities
25 have done that?

1 MR. REVOLDT: Well, there's going to be --

2 MR. YOUNG: Depends on the city and their
3 charter.

4 MR. REVOLDT: It's either going to be charter
5 or, if they're home rule -- like Canton, the central
6 committee of the respective parties may convene and
7 make the appointment. But since we're home rule,
8 we're vested with charter. If you want to go back,
9 we have plenty of time on this one.

10 MRS. WERREN: Yeah. Yeah.

11 MR. REVOLDT: We can go back and write in the
12 mayor. I don't have an objection, but I think it's
13 important that as we -- that as we inch toward
14 November, that we be able to signal to voters the
15 fact that we have considered serving on the council
16 side, I would replace someone early in a four-year
17 term.

18 MR. METHENEY: I think -- I think if we take
19 the mayor in the same direction, that if the council
20 president doesn't want to remain as mayor, in the
21 next general election there won't be an election for
22 the council position that was filled and then there
23 would be an election for the mayor.

24 MR. MCCLEASTER: Not necessarily.

25 MR. METHENEY: Well, if it was 90 days

1 before.

2 MR. MCCLEASTER: Well, but it could have
3 been -- well, yeah, I guess it would be. Yeah. I
4 guess it would be, regardless of such. It's just
5 whether somebody was appointed and they're doing an
6 unexpired term. Okay.

7 MR. REVOLDT: The mayor -- let's assume the
8 mayor goes. Whatever reason. Council president is
9 immediately is going to move up, resign, and become
10 mayor. That will leave a vacancy.

11 MR. METHENEY: On council, not for president.
12 Vice president would move up to president.

13 MR. REVOLDT: Leave a vacancy on council.

14 MR. METHENEY: Correct. And then both of
15 them would be in the next general election if we go
16 that route. Both the mayor and the position that was
17 filled by council that was vacated. Both come up.
18 So the residents would then once again have an
19 opportunity to vote for the mayor and vote for
20 council. The council president may say, I want to go
21 back to council. I'm not running for mayor again.

22 MR. REVOLDT: Then he would have to run.

23 MR. METHENEY: He would have to run. But at
24 least then the voters get a chance to vote at the
25 earliest possible time.

1 MR. MCCLEASTER: Here's something that I
2 thought -- I guess I think of more strongly whenever
3 it's in regards to the mayor. Is 90 days long enough
4 to mount -- actually mount a credible campaign? Are
5 you really giving these people, if for the office of
6 mayor, I mean, I view that as being a little more
7 intensive than council.

8 MR. REVOLDT: The answer to your question is,
9 that 90 days approximates the period between the
10 election and the filing deadline.

11 MR. MCCLEASTER: Right.

12 MR. REVOLDT: So that's -- so everybody who
13 files late files, you know, in the middle of August.
14 They have 90 days to mount a campaign. So that's no
15 break with what is currently existing.

16 MR. MCCLEASTER: Okay.

17 MR. REVOLDT: I think the marching orders are
18 this: We're going to wrap this into the mayor.
19 We're going to clean up the language to make sure
20 that everybody understands it's the next municipal
21 election.

22 MR. YOUNG: The next regularly scheduled
23 general municipal election.

24 MR. REVOLDT: Yes.

25 MR. YOUNG: Okay.

1 MR. REVOLDT: They actually call it the
2 November election because that's the only election
3 that we have.

4 MR. YOUNG: Not necessarily.

5 MR. REVOLDT: Well, if there's a special, but
6 it is a --

7 MR. DEORIO: In theory, you could have
8 members of the judiciary of the Canton Municipal
9 Court run in primaries as in the case of late, but
10 there used to be a day that that occurred and that
11 necessitated then --

12 MR. REVOLDT: A primary.

13 MR. DEORIO: -- a primary in the city of
14 North Canton in May.

15 MR. REVOLDT: Okay. But we've got -- we
16 got --

17 MR. YOUNG: I will work with Wayne to get
18 what you want to get.

19 MR. REVOLDT: So what started out as a
20 relatively simple idea has evolved into a much more
21 complicated idea. A little better language.

22 MR. METHENEY: Under normal circumstances, if
23 elected by the voters November, these are two
24 staggered elections. Council and mayor would be
25 first and then council would be second. Aren't they

1 alternating?

2 MR. MCCLEASTER: No.

3 MR. METHENEY: So one --

4 MR. REVOLDT: We're going -- remember, we're
5 going to run two flights. One, the first flight will
6 be ward councilmen for their term. Two years later
7 then the at-large guys, the mayor will go. But it's
8 going to be -- it's going to be -- we're going to
9 have -- everybody's running a four-year term. But
10 there are two flights separated by two years.

11 MR. MCCLEASTER: So things are staggered.

12 MR. REVOLDT: They're staggered. Of course,
13 the advantage there is it avoids a complete washout.

14 MR. METHENEY: Right. We don't want to end
15 up with potentially all seven members of council --

16 MR. REVOLDT: All new.

17 MR. METHENEY: -- changing in one single
18 election. It allows us continuity of council year
19 over year without having that risk of our council
20 being replaced. I think it would really put the city
21 at a disadvantage if the entire council changed in
22 one election and they were all learning the process
23 that's needed to happen. I think administration
24 would struggle to get things through. It would be a
25 difficult time. Could it happen? Yes. Will it

1 happen? We don't know. But we should plan for that.

2 MR. REVOLDT: Just one -- one final thought.

3 We have a vacancy in the mayor's office if the
4 council president doesn't run. He could resign as

5 council president. Vice president could become
6 council president and move up and assume --

7 MRS. WERREN: Or they could say no.

8 MR. REVOLDT: Or they could say no.

9 MRS. WERREN: Right.

10 MR. REVOLDT: So you might have to play some
11 musical chairs if you get somebody in that election.

12 MRS. WERREN: What --

13 MR. DEORIO: Is -- that would work in a
14 planned -- a planned succession -- succession, the
15 mayor may step down due to an illness that is
16 forthcoming or forecasting, doesn't want to do those
17 things. But it wouldn't work in a sudden loss. In
18 an automobile accident, as you described, upon the
19 mayor's passing the president of the council would
20 automatically become mayor.

21 MR. REVOLDT: That's true. That is true.

22 MR. STROIA: Anything else?

23 MR. REVOLDT: Ready to kill your neighbor,
24 Mayor Wilder? We're having a supreme planning
25 session Carlo & Sons and you are no longer to mow

1 your lawn. All right.

2 MS. WEYRICK: Those are some --

3 MR. REVOLDT: All right.

4 MR. STROIA: That's rough.

5 MRS. WERREN: That's pretty rough.

6 MR. YOUNG: I will work with legal for draft
7 No. 2.

8 MR. STROIA: Okay. Moving on to formerly
9 Rubbish, Utilities.

10 MR. MCCLEASTER: I don't know how I can top
11 the previous discussion about each of our own
12 demises, but this one is pretty exciting. So this
13 was taking a look at a CDBG grant for the water line
14 replacement down on Valley Drive.

15 So, Patrick, do you have anything that you
16 would like to fill in on this?

17 MR. DEORIO: Other than just to say that this
18 was a forecasted, budgeted project that the engineer
19 was successful in getting a grant for 395,000. So we
20 would like to move forward with it.

21 MR. MCCLEASTER: And this, if I remember
22 correctly, it is going to be towards the tail end of
23 next year; correct?

24 MR. DEORIO: Yeah.

25 MR. MCCLEASTER: Okay.

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MR. DEORIO: They award their money kind of mid-cycle on the calendar year.

MR. MCCLEASTER: Okay. So we do have a little bit of time before this will happen. But yeah. I would move that we adopt this, or put this on the agenda, excuse me.

MR. REVOLDT: As an emergency.

MR. MCCLEASTER: As an emergency. Thank you.

MR. METHENEY: Second.

MR. STROIA: All in favor?

("Aye" in unison.)

MR. STROIA: Opposed? Motion carries. Okay. I will consider a motion to adjourn.

MRS. WERREN: Moved.

MS. WEYRICK: Second.

MR. STROIA: All in favor?

("Aye" in unison.)

MR. STROIA: Opposed? Adjourned.

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(Meeting adjourned at 7:39 p.m.)

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Attest:


Benjamin R. Young
Clerk of Council


Matthew Stroia
City Council President

