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CITY OF NORTH CANTON, OHIO

IN RE:)	
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NORTH CANTON)	
COMMITTEE OF THE WHOLE)	
VIRTUAL MEETING)	
)	
)	TRANSCRIPT OF PROCEEDINGS
)	

Transcript of Proceedings held virtually before the North Canton City Council, taken by the undersigned, Shannon Roberts, a Registered Professional Reporter and Notary Public in and for the State of Ohio, at the offices of North Canton Civic Center, 845 West Maple Street, North Canton, Ohio, on Monday, the 21st day of September, 2020, at 7:00 p.m.

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APPEARANCES:

- Daniel Jeff Peters, Chairman
- Douglas Foltz, Member
- Stephanie Werren, Member
- Daryl Revolt, Member
- Mark Cerreta, Member
- Dominic Fonte, Member
- Matthew Stroia, Member
- Stephan B. Wilder, Mayor
- Patrick DeOrio, Director of Administration
- Catherine Farina, Deputy Director of Administration
- Jina Alaback, Director of Finance
- Robert Graham, PE
- Martin Van Gundy, IV, Chief Building Officer
- Terry Moore, Director of Law
- Benjamin Young, Council Clerk
- Margaret Straub, Intern
- Nate Green, The Montrose Group
- Jamie Beier Grant, The Montrose Group

1 MR. YOUNG: When you are ready, Mr.
2 President.

3 MR. PETERS: All right. Thank you, Ben.
4 Good evening everyone. I'd like to call to
5 order the North Canton City Council Committee
6 of the Whole meeting, Monday, September 21st,
7 7:00 p.m.

8 Ben, would you please call the roll?

9 MR. YOUNG: Member Fonte.

10 MR. FONTE: Here.

11 MR. YOUNG: Member Cerreta.

12 MR. CERRETA: Here.

13 MR. YOUNG: Member Stroia.

14 MR. STROIA: Here.

15 MR. YOUNG: Member Revoldt.

16 MR. REVOLDT: Here.

17 MR. YOUNG: Member Foltz.

18 MR. FOLTZ: Here.

19 MR. YOUNG: President Peters.

20 MR. PETERS: Here.

21 MR. YOUNG: And Member Werren is absent.

22 MR. FOLTZ: Motion to excuse Member
23 Werren.

24 MR. REVOLDT: Revoldt seconds.

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

1 MR. FOLTZ: Aye.

2 MR. PETERS: Aye.

3 MR. REVOLDT: Aye.

4 MR. CERRETA: Aye.

5 MR. FONTE: Aye.

6 MR. STROIA: Aye.

7 MR. PETERS: Opposed?

8 (No response.)

9 MR. PETERS: Motion carries.

10 All right. First up, Community and
11 Economic Development. Chairman Revoldt, the
12 floor is yours.

13 MR. REVOLDT: Thank you very much, Mr.
14 President. This evening we are going to
15 begin the process to establish a Designated
16 Outdoor Refreshment Area. The material you
17 have in your hands or in your packets this
18 evening was prepared by our economic
19 development consultant, The Montrose Group.

20 And joining us tonight to offer an
21 initial explanation for us is Nate Green, who
22 is the Director of Economic Development. We
23 have -- we have met Nate before. He is no
24 stranger. And then one of the architects of
25 our CRA ordinance is Jamie Grant, who is the

1 Manager of Economic Development for Montrose.
2 So Nate and Jamie, if you'd like to open,
3 we'll go from there.

4 MR. GREEN: Great.

5 MR. DEORIO: Just an FYI, before you
6 start, Stephanie texted back, and she is
7 working on getting access. So she may join
8 us in a little bit.

9 MR. REVOLDT: Okay. Thank you.

10 MR. PETERS: Okay.

11 MR. GREEN: All right. Well, thank you
12 all. This is Nate Green from The Montrose
13 Group. Thank you all for having us at your
14 meeting this evening. Councilman Revoldt --
15 or I -- I have other names for you, but I
16 guess that's what I'll call you for this
17 evening.

18 MR. CERRETA: We have names for him, too,
19 so don't worry about it.

20 MR. GREEN: You know what, you all know
21 him well, too. I'm sure you do. But
22 thanks -- thanks for kicking us off in the
23 DORA discussion. As Daryl said, we have
24 been -- we have been working with Pat and
25 team on this for -- for a little while. You

1 know, I think this is a great concept for
2 the -- for the North Canton Main Street
3 Business District. It really enhances -- I
4 think, the -- the real -- the real benefits
5 here are what it does for those businesses
6 along that corridor. You know, really to
7 enhance their commerce, enhance their
8 business, enhance their finances, just
9 economically. Even, I think, with what we
10 got going on right now, the DORA will do
11 great things to really not only help the
12 businesses that are there today, but ones
13 that you want to attract in the future.

14 I'm going to turn it over to Jamie Beier
15 Grant from The Montrose team, and Jamie is
16 going to give some more details just on the
17 DORA in particular. And then I think we are
18 going to have Pat talk about the map, because
19 he -- he and Ben put that together.

20 So, Jamie, I'm going to turn it over to
21 you, if you want to kind of go through the
22 specifics of the DORA and the process, and
23 then we'll talk about the map.

24 MS. GRANT: Yeah --

25 (Whereupon, Ms. Werren joins the virtual

1 meeting.)

2 MS. WERREN: Hey, you guys. Hey, you
3 guys. Stephanie just joined. Hey, thank
4 you, Ben. Appreciate that. Sorry. I'm at
5 a -- I'm at a work event at Salt Fork, so
6 internet is sketchy.

7 MR. FOLTZ: Hey, welcome, Steph.

8 MS. WERREN: Thank you. I have our -- I
9 have our attorney with us, so we are all
10 good -- in good shape. Sorry, Terry.

11 MR. MOORE: That's okay, Steph.

12 MS. WERREN: I'm keeping him under wraps,
13 though. Don't worry. I'm making him feel
14 things and share things. So we are all good,
15 Terry.

16 MR. MOORE: Good.

17 MS. WERREN: All right. Thank you, guys.
18 Sorry about that.

19 MS. GRANT: Well, good evening everyone.
20 Again, Jamie Beier Grant with The Montrose
21 Group. I'm pleased to be with everyone this
22 evening. Nate kind of gave an overview of
23 the DORA District that the City is looking at
24 establishing along the Main Street business
25 corridor.

1 And what I thought I would do is just
2 kind of give a high level overview of the
3 process to actually establish a DORA, and --
4 and just to kind of give some context around
5 the application that Pat DeOrio submitted a
6 while back, and I guess that Council is
7 looking at taking up considering conversation
8 around tonight.

9 So the great thing about establishing a
10 DORA is that the Ohio Revised Code gives us
11 some really specific guidance on how to
12 establish a DORA. And a DORA is a Designated
13 Outdoor Refreshment Area. And it falls under
14 Ohio Revised Code Section 4301.82.

15 And when we look at designating or
16 establishing a DORA as it relates to the City
17 of North Canton specifically, if the City --
18 or with the City having a population of less
19 than 35,000 people, ORC tells us that we can
20 establish a DORA district that is a maximum
21 of 150 contiguous acres.

22 The other thing that the -- the Ohio
23 Revised Code talks about is that the
24 administrator or leader of the City is the
25 one that is to put the application together

1 and present it to the legislative oversight
2 committee, which would be City Council, for
3 their consideration and taking it up for
4 either approving or disapproving the
5 application. And Council must take that up
6 not early than 30 days, but not later than 60
7 days after the initial publication of the
8 notice. So we are within that time frame.

9 The other thing within the DORA is that
10 the application specifically has to describe
11 the territory that would constitute the
12 outdoor refreshment area. And a big part of
13 that is because we have to identify those
14 businesses that have current liquor permits
15 that are in good standing. And if the DORA
16 application is approved, it then subsequently
17 gets submitted to the Division of Liquor
18 Control, as well as the investigative unit of
19 the Department of Public Safety.

20 They receive notice of the approval of
21 the application, and then the Division of
22 Liquor Control reviews to make sure that
23 those liquor licenses are in compliance and
24 are in good standing. And then they actually
25 issue a DORA designation to each of the

1 qualified permit holders located within that
2 DORA district.

3 So as I said -- and I think everybody has
4 received a copy of the DORA application that
5 Mr. DeOrio presented or -- or submitted, but
6 you can see within that that there are
7 specific boundaries of the DORA area that are
8 addressed and included. And those are, like
9 I said before, within the Main Street
10 business corridor, kind of from South Main
11 Street from Bitzer Street, and then southeast
12 running along North Main Street to -- excuse
13 me, running north along Main Street to 11th
14 Street.

15 So we have the boundaries that are
16 identified. We have the -- looking at the
17 number and the -- and the type of signage
18 that is going to be designated in the area,
19 we have put together a public safety policy,
20 a sanitation plan, and then kind of have
21 talked about some of the rules and
22 requirements of operating within that DORA,
23 all the way down to what does the signage
24 look like, to what do the DORA cups look like
25 that an establishment would have to issue to

1 somebody that was purchasing qualified
2 alcohol within the DORA.

3 And I say that, because there is actually
4 qualified permit holders for an outdoor
5 refreshment area that are -- the -- there are
6 only certain allowable permit holders to be
7 allowed to issue alcohol within the outdoor
8 refreshment area. Those are an A1 permit, an
9 A1A, an A1C, A2, A2F, or a D class permit.
10 So -- but a D class permit does not include a
11 D6 or a D8 permit. So I think it's important
12 just maybe for the record to reflect the
13 qualified permit holders and what kind of a
14 permit they actually must have.

15 MR. FONTE: It's -- I've got a -- it's
16 Dominic. And I have a quick question. So
17 when you say the D series, so a D5 would
18 qualify for that then, D5 license?

19 MS. GRANT: Yeah. Uh-huh. Yeah.

20 MR. FONTE: Okay. Got it.

21 MR. DEORIO: Jamie --

22 MS. GRANT: So -- yeah.

23 MR. DEORIO: Jamie, before you go any
24 further -- this is Patrick. I just want to
25 make sure that we -- because everybody on

1 City Council, of course, knows all the
2 streets in North Canton. But the boundary
3 actually that we have proposed, and -- at
4 it's maximum length, is from Bachtel --

5 MR. FONTE: Oh, good.

6 MR. DEORIO: -- to -- to about 11th
7 Street, Northwest. I think you had said
8 Bitzer, and I was looking through the
9 document. So there would be a typo that we
10 would need to correct there, that --

11 MS. GRANT: Okay.

12 MR. DEORIO: -- Bitzer is actually
13 Bachtel.

14 MR. FONTE: Patrick, are you talking one
15 street north of Woodrow?

16 MR. DEORIO: Yes. What would be --
17 basically from Mama Guzzardi's down to El
18 Rincon.

19 MR. FONTE: Awesome. Great. Thank you.

20 MR. CERRETA: And is there a reason it
21 doesn't go all the way up to Orion? Is there
22 something that prevents that?

23 MR. DEORIO: Well, I didn't -- I
24 didn't -- Mark, I didn't want to propose the
25 whole thing. If Council -- you know, it's up

1 to you guys how you want to do it. I had
2 been researching some DORAs in some other
3 communities that are similar to North Canton.
4 So like, for example, Old Hilliard has very
5 much a Main Street that's -- that's
6 reminiscent of North Canton, with homes that
7 are converted into businesses and some
8 commercial establishments that look like
9 commercial establishments and the like. And,
10 you know, it kind of comes down into the --
11 the marking. You have to mark when, you
12 know, someone is coming into the DORA or when
13 someone is leaving the DORA. And then you
14 have to have a sanitation plan.

15 And I really like what Old Hilliard had
16 done. They combine the signage and the
17 sanitation plan into one plan. And they have
18 some very nice steel black powder coated
19 trash receptacles that on one side of the
20 receptacle is a sign that says you are
21 entering the DORA District, and on the other
22 side, it says you are leaving the DORA
23 district. So it avoided having to put up
24 street signs and poles in people's yards and
25 stuff like that.

1 So it comes down to, you know, like all
2 the intersections coming off of Main Street,
3 where people could actually say, walk down
4 and turn left on 5th or left on 7th or right
5 on 6th. All of those have to kind of be
6 marked with the signage. So that's why I
7 kind of just stopped where we were. But we
8 can extend it to however far you want, given,
9 you know -- 150 acres is a lot of acreage
10 when it's narrowly defined like this, so --

11 MR. CERRETA: Yeah.

12 MS. GRANT: Yeah, that's a --

13 MR. CERRETA: I was just thinking of the
14 businesses that are out of that, you know,
15 how they felt they might be out of -- you
16 know, why -- why are they left out? And,
17 secondly, you know, how does that promote
18 more as we come around if we don't have areas
19 that are all inclusive of it up and down the
20 Main Street? That's -- that's all the
21 reason. I was thinking about that.

22 MR. FONTE: Yeah, good point, Mark.

23 Dominic here.

24 MR. REVOLDT: I think we can amend this
25 if we -- if we so choose.

1 MR. DEORIO: Yeah, this was --

2 MS. GRANT: Right.

3 MR. DEORIO: -- really for discussion
4 purposes to kind of -- you know, I have been
5 working on it, you know, for many months with
6 Nate and his team. And -- and this is really
7 just kind of the first exposure to City
8 Council. So it's not something that you
9 necessarily have to, you know, come to terms
10 with tonight. We can discuss it again at
11 another Committee meeting. But I just wanted
12 to get the concept introduced to everybody
13 first.

14 MR. CERRETA: Okay.

15 MS. GRANT: Pat -- Pat, I think one
16 thing, too -- this is Jamie again -- that is
17 important for Council to recognize is that
18 North Canton, based on its population, can
19 establish one Designated Outdoor Refreshment
20 Area. So if we look at -- you know, and --
21 and like was said earlier, you can look at
22 expanding it. But, you know, we have got one
23 DORA that we can set up within the City
24 limits. We have to have at least four
25 qualified permit holders, which we've

1 identified those. And we have that 150 or
2 fewer contiguous acres as our parameters.
3 But, you know, we can't look at setting up a
4 DORA designation on, you know, the north side
5 or the east side and one of the west side.

6 So, you know, looking at that map and
7 making sure that it encompasses the
8 footprint, you know, that -- that Council
9 feels best fits, you know, what it would like
10 for the designation is important, because
11 we -- you know, we can't go and set up, you
12 know, two or three more of these DORAs.

13 MR. FONTE: Patrick, it's Dom. Patrick,
14 does this --

15 MR. DEORIO: Yes.

16 MR. FONTE: Is this sort of like a little
17 segment of the entertainment district type
18 thing, or is this totally separate?

19 MR. DEORIO: It's totally separate. I
20 mean, the boundaries could overlap.

21 MR. FONTE: Yeah, that's what I -- that's
22 what I was thinking. You know, that if we
23 are going to kind of consider -- or even if
24 as Mark says, like we go a little farther
25 north, hypothetically, just so that we have

1 it. But if not, is it hard to amend it and
2 add more square footage on heading north if
3 we needed to?

4 MR. GREEN: So --

5 MR. DEORIO: I don't believe it's
6 difficult to amend.

7 MR. GREEN: Yeah, Pat, this is Nate.
8 Yeah, we could -- Dominic, we can add onto
9 it, you know, as -- as -- the restriction we
10 have is it can't be any more than 150 acres.
11 But --

12 MR. FONTE: Got it.

13 MR. GREEN: -- we can go back at -- you
14 know, if you pass it originally, and we
15 decide later we want to add onto it, we can
16 certainly do that and include more parcels in
17 it if we need to. Yep.

18 MR. FONTE: Thank you.

19 MR. GREEN: No problem.

20 MR. REVOLDT: Hey -- hey, this is Daryl.
21 Nate and Council, you know, one of the things
22 we might want to consider, because this is
23 actually something new for the community, we
24 may want to approach this with a degree of
25 sort of measured caution. And if we find it

1 begins to work next year, we should be able
2 to get this done pretty quickly.

3 I'm just trying to think how many -- you
4 know, as you move north up above Mama
5 Guzzardi's, the only other places you have
6 got with alcohol would be really up near
7 Orion, correct?

8 MR. FOLTZ: Yeah, TD's Tailgate and --

9 MR. REVOLDT: Okay. That's going to
10 make -- that may push us well out of the, you
11 know, 150 acres.

12 MR. GREEN: Yeah, and, Daryl, to your
13 point, one challenge we have is that we
14 have -- it's a contiguous boundary, so --

15 MR. REVOLDT: Right.

16 MR. GREEN: -- we can't kind of -- you
17 know, we talked a long -- a year and a half
18 ago or more about the DRD, which is
19 continuous. This, essentially, the parcels
20 have to be next to each other. So that does
21 limit us a little bit in how far we can take
22 it, since we can only put 150 acres in it.

23 MR. FONTE: Thank you.

24 MR. CERRETA: We can have another
25 discussion on that. Let's -- yeah, let's

1 move on.

2 MR. FONTE: Yeah, good point.

3 MR. CERRETA: We can have good
4 discussion on that.

5 MR. GREEN: Absolutely.

6 MR. FONTE: Good point, gentlemen, lady.

7 MR. REVOLDT: Okay. Does anybody have
8 any more questions for Nate or Jamie on kind
9 of how this thing works?

10 MR. FONTE: So I have a quick question.
11 This is Dom again.

12 MR. REVOLDT: Yes.

13 MR. FONTE: So like in Canton, for
14 example, like when you have First Friday, and
15 let's say they have that designated area
16 there, I know some of the vendors that have
17 to buy the cups that the City provide, in
18 groups of 100 or 500 -- I think it was 500.
19 So sometimes I hear people complain, like
20 you've got to pay 10 bucks a cup. And
21 then -- you know, so I guess there is a -- a
22 flexibility that the vendors that are
23 participating in the plan can charge
24 something per cup, and then you get the cup
25 and then you just use it at different

1 locations; is that correct?

2 MR. GREEN: That's correct.

3 MR. FOLTZ: Yes.

4 MR. FONTE: Okay. Do we have a limit on
5 what we can charge, or is that like the
6 market bears what the market bears?

7 MR. GREEN: I don't believe --

8 MS. GRANT: No, I don't believe there is
9 a --

10 MR. GREEN: There's nothing -- yeah,
11 there is nothing in the legislation -- there
12 is nothing in the state law that dictates
13 what that is. It really is up to, you know,
14 you all to figure that out.

15 MR. FONTE: Got it. Thank you.

16 MR. YOUNG: If I may, to answer Dominic's
17 question, as our ordinance is currently
18 written, the City may charge qualified permit
19 holders the cost of producing the cups, plus
20 a 10 percent fee, and the profits from that
21 10 percent fee must go back into supporting
22 the DORA.

23 MR. FONTE: Got it. And then who is
24 responsible for the signage? Would that be
25 the City or the --

1 MR. REVOLDT: Yes.

2 MR. FONTE: -- vendors?

3 MR. REVOLDT: The City.

4 MR. DEORIO: The City.

5 MR. FONTE: Okay. Got it.

6 MR. REVOLDT: And, Dominic, I just want
7 to be perfectly clear, we cannot put your
8 face on those cups.

9 MR. CERRETA: Or video. No video.

10 MR. FONTE: That's okay.

11 MR. REVOLDT: I know what you are
12 thinking.

13 MR. FONTE: Hey, well, we could promote
14 different amenities in the City, and then --
15 you know, it's a win-win for the City. I
16 don't care about me. I'm just talking about
17 the City. We are all about the City right
18 now.

19 MR. REVOLDT: I think the other thing is
20 this -- and Jamie and Nate -- Nate, as other
21 businesses within the existing DORA would
22 come in and secure a liquor permit -- for
23 example, if something would happen over at
24 Hoover, we can fold them in -- through
25 legislative action, into the DORA, correct?

1 MR. GREEN: Yeah, correct.

2 MS. GRANT: Yep, that is correct.

3 MR. FONTE: That's fantastic, guys.

4 MR. CERRETA: Because they are within the
5 boundaries, right?

6 MR. REVOLDT: That is correct.

7 MR. CERRETA: Because they are within the
8 boundaries, right.

9 MR. REVOLDT: Yes.

10 MS. GRANT: And in the application, we
11 have actually identified that Hoover Town
12 Center has a couple of permits that are
13 pending.

14 MR. REVOLDT: Perfect.

15 MR. FONTE: Great. Thank you.

16 MR. REVOLDT: Yeah, I think you've got
17 three flagged, correct?

18 MS. GRANT: I --

19 MR. REVOLDT: According to the map.

20 MS. GRANT: I have a D5 and a D6 pending
21 on Hoover Town Center that I -- that I was
22 able to find.

23 MR. YOUNG: On the map, I just put three
24 markers to represent the whole frontage,
25 because they have --

1 MR. REVOLDT: Okay.

2 MR. YOUNG: -- permits for all addresses
3 on that side.

4 MR. FONTE: Okay.

5 MR. CERRETA: All right. So just as
6 a clar -- how many acres are we looking at
7 right here, just so we know? How many acres
8 is --

9 MR. DEORIO: Fifty-six.

10 MR. CERRETA: Right now? That's 56 right
11 there?

12 MR. FONTE: Oh, my.

13 MR. CERRETA: So we have a lot of room to
14 add is what you're saying?

15 MR. FONTE: We can go south, north,
16 absolutely.

17 MR. CERRETA: Yeah. Okay.

18 MR. FONTE: This is great.

19 MR. CERRETA: When I said about that, I
20 worry about what happens to areas like the
21 K-Mart property or the post office some day.
22 All those areas that are not even developed,
23 you know, those are areas that -- that might
24 want this, so --

25 MR. FONTE: Well, I mean, even -- even

1 the fire department, if they ever get a
2 safety service center, what's going to happen
3 to that building? Maybe that will be a pub
4 or something.

5 MR. CERRETA: Well, that's within it
6 already.

7 MR. FONTE: Right. So I think it's a
8 fabulous plan, personally.

9 MR. DEORIO: Well, Mark, you bring up a
10 good point. And I think you are looking at
11 the DORA as a potential economic development
12 tool that some of those properties, you know,
13 on Main Street, you know, north of Viking,
14 you know, could be right for redevelopment
15 for the right type of business, where this
16 DORA would add some meaning to their bottom
17 line.

18 MR. CERRETA: Uh-huh. We can have that
19 discussion then. Yes.

20 MR. DEORIO: It's kind of where do you
21 want this type of growth to occur. That's
22 the other thing that you are thinking about.

23 MR. CERRETA: Right. And I'm even
24 thinking of Waterside; anything that's open.

25 MR. DEORIO: Yep. Yep. Great one.

1 MS. GRANT: There is also a reporting and
2 maintenance requirement for the DORA. So
3 every five years, the legislative authority
4 reviews the operation of the area and can
5 continue the operation or dissolve the area.
6 So, you know, that's something else that
7 might give some flexibility that, you know,
8 it might be hard to envision what's going to
9 happen development-wise in the next ten
10 years. But, you know, if it has to be
11 reviewed every five years, does that give
12 opportunity to the City to be able to modify
13 the footprint of the DORA as things change?
14 So that might give some flexibility to not
15 feel like you have to get everything right
16 right now.

17 MR. STROIA: This is Stroia. What does
18 it take to change -- let's say there is
19 development up and down -- I don't know --
20 Maple, or something like that. Is it just a
21 vote on Council? Is it a vote, a
22 registration? Is there a cost to amending
23 it?

24 MR. GREEN: So, Councilman Stroia, this
25 is -- this is Nate. It's -- it is -- it

1 would essentially be a vote of Council. You
2 could go back and amend -- amend the map to
3 include other areas, as long as we are within
4 that 150-acre limit and as long as it's
5 contiguous to all the other properties.

6 MR. STROIA: Got you. Thank you,
7 Fraternity Brother Nate Green.

8 MR. GREEN: Absolutely.

9 MR. CERRETA: Brother in a bond.

10 MR. GREEN: That's right.

11 MR. REVOLDT: Well, this -- this is
12 Daryl. Are there any other questions for
13 Nate or Jamie or Pat?

14 (No response.)

15 MR. REVOLDT: If -- anything else we --
16 that -- any -- any other questions at this
17 time?

18 MR. FONTE: I'm good. Thank you. It's
19 Dominic.

20 MR. REVOLDT: Okay. Here -- here is
21 where we are now, is that we have received an
22 application from the administration -- and
23 Jamie and Nate jump in here if I get -- get
24 my -- get things mixed up. But if we are
25 going to -- what we need to do is there is a

1 timeline on this, and if we are going to --
2 if we are -- want to work on this or to have
3 it, we need to get started with the approval
4 process. And that means that we have got to
5 publish, over two weeks, twice, notice that
6 we have received the application. We have to
7 publish it in The Repository.

8 And then once we have got that, then I
9 think what we really need to -- to come up
10 with tonight is do we want to have Council
11 consider some enabling legislation to approve
12 the application. Because if that's the case,
13 once we have done our two publications, then
14 we have to publish dates for the Council
15 votes.

16 And the Clerk has identified three dates
17 that we can consider this; the 28th of
18 September, the 12th of October, and the 26th
19 of October. So if we want to proceed, I
20 guess we need to -- we need to make that
21 determination this evening.

22 MR. FONTE: This is Dominic. I'm in for
23 it.

24 MR. REVOLDT: And, again, I would -- I am
25 open -- and I just want to make absolutely

1 clear, I think everybody is open to -- to
2 amending this as it moves -- as it moves
3 along.

4 MR. CERRETA: Yeah, as long as we can
5 talk about where it goes, sure, let's move.

6 MR. REVOLDT: Absolutely.

7 MR. FONTE: Yep, absolutely.

8 MR. REVOLDT: Okay. And I just -- and
9 let me just add one more thing, too, and, you
10 know, over the last year, I think it's -- it
11 may be good to just pull up a minute and
12 think about what we have achieved for Main
13 Street and what we are doing.

14 We have re-established the CRA. We have
15 put in place a DRD, thanks to Montrose. Both
16 of those to Montrose. Now we have got this
17 DORA in place -- moving to be put in place.
18 That's pretty astonishing when you think
19 about our accomplishments over the last year
20 to help Main Street grow.

21 And I think that will be a good tool for
22 those restaurants. You know, it's -- how
23 unfortunate is it that the Main Street Grille
24 closed. Now maybe this might inspire a new
25 owner to take a second look --

1 MR. PETERS: Yeah.

2 MR. REVOLDT: -- at the location, which
3 is exactly what we want.

4 MR. PETERS: Yep, I agree, Daryl.

5 MR. REVOLDT: Okay.

6 MR. CERRETA: That's the idea.

7 MR. REVOLDT: Okay. So let's do this,
8 Ben. Let's map out the process. Let's get
9 the two public -- let's get the notices
10 published for the -- for the application, and
11 then we need to get, at the appropriate time,
12 notice published for Council consideration;
13 September 28th, October 12th, October 26th.
14 Okay?

15 MR. YOUNG: Yep.

16 MR. REVOLDT: Now, just before we go, one
17 more -- one more housekeeping thing; on the
18 application, we do need to make some changes.
19 They caught one on page 4, where it's
20 referenced as Bitzer instead of Bachtel. And
21 I think on page 3, you have got -- you use
22 Harmon. I think that is the wrong street.
23 So would you verify that?

24 MR. GREEN: We'll -- yeah, we'll verify
25 that and make sure we have the streets. No

1 problem, Daryl.

2 MR. REVOLDT: Okay. All right.

3 MR. CERRETA: Well, then should we talk
4 about sometime soon where we want this to go,
5 before you start putting streets in? Or is
6 this just to move it along, and we will amend
7 it later?

8 MR. REVOLDT: These streets are the
9 current boundaries, Mark. Bitzer was
10 incorrect. We meant Bachtel. And I think
11 Harmon is a reflection of Bitzer, the Bitzer
12 boundary. So we just need to check -- check
13 those and make sure that the streets are
14 proper. And, again, on page 3 and page 4 of
15 the application.

16 MR. FONTE: Mark, it's Dom. So they have
17 50 acres earmarked right now, so we have up
18 to 150, so we can go a lot of different ways,
19 I guess.

20 MR. GREEN: Yep.

21 MR. DEORIO: That brings up a question --
22 hey, Jamie --

23 MS. GRANT: Yes.

24 MR. DEORIO: -- and Nate --

25 MS. GRANT: Yeah.

1 MR. DEORIO: All right. So I'm on page
2 3, referencing what Daryl said.

3 MS. GRANT: Uh-huh.

4 MR. DEORIO: And I think -- I think the
5 Harmon Street was trying to -- it looked like
6 it was trying to correspond, I'm guessing,
7 where Bitzer -- Bitzer Street, you know, and
8 those both running all the way up to 11th.

9 But Bachtel -- or Bachtel, however you
10 say it -- is on both sides of Main down
11 there. So it would be there north. So my
12 question is: Is the 56 acres reflective of
13 what I have drawn on the map, or is the 56
14 acres reflective of what's listed as the
15 boundaries of section 2 on page 3?

16 MS. GRANT: It should be what's
17 identified on the map, because those are all
18 of the parcels that we are looking to
19 include.

20 MR. DEORIO: Okay. I -- I looked up
21 every one of those parcel numbers, and that's
22 what I e-mailed to you. So I --

23 MS. GRANT: Uh-huh.

24 MR. DEORIO: Sounds like it's a typo that
25 we have got to fix.

1 MR. GREEN: And we'll verify --

2 MR. CERRETA: I don't know if we even
3 have -- we don't even have an 11th Street, do
4 we?

5 MR. DEORIO: We do. It's actually marked
6 between Mama Guzzardi's and the first
7 property south. It's -- it's not a finished
8 street, but it is dedicated as 11th Street in
9 the books.

10 MR. CERRETA: Okay. That's pretty
11 random. All right.

12 MR. WILDER: It's an old, old lane, Mark,
13 that used to go --

14 MR. CERRETA: Yeah, it is.

15 MR. WILDER: Yeah. It used to go back
16 behind all those properties on Woodrow.

17 MR. CERRETA: Uh-huh.

18 MR. WILDER: And it almost goes to --

19 MR. CERRETA: That's where the --

20 MR. WILDER: -- to those woods --

21 MR. CERRETA: -- where the drive-in
22 theater was.

23 MR. WILDER: Yeah. Do you know about the
24 theater?

25 MR. CERRETA: I grew up here. Oh, yeah.

1 MR. WILDER: I know, Mark. I'm just
2 kidding you. Sorry about that.

3 MR. REVOLDT: This is a family meeting.

4 MR. CERRETA: Got caught back there a few
5 times probably.

6 MR. REVOLDT: All right. So I think we
7 are good to go. Ben, you got your
8 instructions, correct?

9 MR. YOUNG: Correct.

10 MR. REVOLDT: And we'll have a revised
11 version of the application for us for our
12 next meeting.

13 All right. Next items on our agenda are
14 B, C, D, and E. And these are proposed
15 changes to part 13 of our codified ordinances
16 that deal with the residential building code.
17 And rather than try to muddle my way through
18 this, I'm going to turn this over to Marty,
19 because he has requested these changes. So,
20 Marty, would you like to proceed?

21 MR. VAN GUNDY: Yes, sir. Thank you.
22 Okay. So before you, there are four items
23 there. And with this, along with two other
24 items that I have later on, realizing that it
25 is a lot of information, I plan on providing

1 the 30,000-foot view of the revisions, while
2 highlighting some of the key changes, as
3 well. I'm happy to answer any questions
4 specifically, either go into more detail in
5 any particular subject matter or even come
6 back at another Council meeting and provide
7 more detail.

8 So for the first item here is retitling
9 and making some revisions to 1301,
10 essentially adopting the State of Ohio
11 residential code and the building code of
12 Ohio, as well. Currently, we have an
13 outdated reference there to the residential
14 code. If enacted as proposed, essentially,
15 it would need to be changed. As soon as the
16 state changes their -- their building codes,
17 it would automatically become law. And, of
18 course, we are -- we are required to enforce
19 those codes, being a certified department.

20 That's those first two sections. There
21 are references in there to the building
22 permits, particularly under the residential
23 section, as the current language is.
24 However, particularly for commercial, we
25 don't really have any good information that

1 requires permits or even defines how we
2 handle permits. Although we go into more
3 detail there in the next item, C, this kind
4 of sets us up for -- for that change.

5 But I'd also like to point out the
6 address identification under 1301.03. This
7 was drafted in coordination with the fire
8 department. It was brought to our attention,
9 there are many houses that don't have proper
10 address notification on the building. Well,
11 of course, our emergency responders are very
12 familiar with the City, and more than likely
13 will respond very quickly without those
14 addresses. The concern really comes into
15 where we reach out for mutual aid to some of
16 the departments that aren't as familiar with
17 the City.

18 So this section, it gives specific
19 criteria of what is expected for addressing,
20 particularly as the building codes that we
21 just talked about really do leave it to the
22 local jurisdictions to better define what is
23 needed for -- for the area.

24 So the other change we have there,
25 essentially, we still charge fees for the

1 plan review. One clarification on that, and
2 I would like to amend when it -- if you do
3 choose to bring it to City Council is on that
4 second paragraph, include the words "after
5 the initial review," or to that effect, all
6 fees incurred by the City shall be reimbursed
7 by the applicant. And that would either be
8 for hourly plan reviews or any other
9 specialty plan reviews that may take place.
10 That may even be postage, if we send out
11 plans in the hard copy form.

12 The rest of this really is just
13 clarification when we have the project
14 which they are not maintaining. Most of the
15 projects, they do keep them up. Most of the
16 time wouldn't see that coming into effect.
17 And all the strike-outs are either conflicts
18 with the state code or --

19 MR. CERRETA: All right. Somebody needs
20 to mute, please.

21 MR. VAN GUNDY: So as I mention, on the
22 strike-outs, they are either redundant or
23 conflicts or outdated information and no
24 longer needed. That's my summary on item B.
25 If there are any questions -- do you want me

1 to run through the whole list?

2 MR. REVOLDT: Yeah, why don't you just go
3 through the whole thing, and then we'll --
4 are there any questions on Item B?

5 (No response.)

6 MR. REVOLDT: Seeing none, then move on
7 to C.

8 MR. VAN GUNDY: Okay. So 1302 was that
9 section I referenced earlier, where we
10 identify the permits, how we handle those
11 permits, when they expire, applications. We
12 talk about change in plans. I want to show a
13 particular note to -- it was 1302.04. This
14 gives a list of determinations which must be
15 made by the Chief Building Official. And,
16 essentially, if these determinations are not
17 made, a permit cannot be issued.

18 In Item 1 there, Item A1, that is,
19 essentially, if the project doesn't meet the
20 local ordinances, then the building official
21 shall not issue it. I mean, it seems
22 commonsense, but we need that kind of
23 language to lawfully withhold a permit.

24 The second item really is talking about
25 the zoning code. This came about with some

1 other concerns with the projects and noting
2 the zoning requirements, particularly
3 driveways. And the other language we put in
4 there was really talking about -- Item 4, for
5 example, talks about wetlands, and 5 is we
6 are talking about floodplain, and then Item 6
7 is the fees.

8 The other item to point out is the next
9 section, 1302.05. And, essentially, this
10 would give some latitude to withhold the
11 permits if, say, Council in the future
12 decided to enact legislation that might
13 restrict certain types of construction. This
14 would withhold that permit until the
15 legislation was finished.

16 We also added some additional language
17 here to clarify the storm water quality and
18 to help that coordination with Stark Soil and
19 Water. They have very good language in
20 there. What we don't have is that
21 integration between Stark Soil and Water and
22 the building department. Same thing on the
23 utility side. That's those next few
24 sections.

25 Again, we define the -- where a stop-work

1 order may happen. And this gives the
2 authority to do so when they are not doing
3 the work correctly or made changes to the
4 plans, maybe made the addition larger and
5 didn't revise the plans, or they haven't got
6 any of the permits.

7 So -- and the last part on that is the
8 penalties, which seem to be similar to other
9 ordinances, where essentially that first
10 violation is a misdemeanor. After that, it
11 ratchets up to a misdemeanor of the first
12 degree. And the second half of that
13 authorizes the Law Director to seek other
14 legal action as -- as deemed necessary, such
15 as an injunction.

16 And the last sentence on that allows that
17 any, you know, costs associated with that
18 would -- would be recovered through the
19 auditor's office. Now, of course, that would
20 take coordination with the auditor's office
21 there. So, essentially, that is item C, if
22 there are any questions there.

23 MR. FONTE: No.

24 MR. VAN GUNDY: Okay.

25 MR. DEORIO: And just -- this is Patrick.

1 Just as background, why you are getting all
2 of this -- I mean, Martin has been working
3 with administration for the last several
4 months. And he has -- he has come to us, you
5 know, I guess, you know, in part because, you
6 know, COVID has, you know, given us
7 opportunity, in some instances, to have a
8 little more time to dig into all the various
9 things that we have tasked him with, like
10 things that haven't been done for a very long
11 time, if ever, in this department, and
12 bringing us up to speed by a -- you know,
13 making sure our stuff is adopted to the Ohio
14 Building Code or the revised code, or Stark
15 Soil or the fire department, the utilities
16 department, just integrating all the things
17 that needed to be done. So he has been
18 working on this most of the summer.

19 As we have come out of that, we have got
20 together, reviewed all this stuff, and this
21 is, you know, a wave of things to come.
22 There is more that we are kind of parcelling
23 out, you know, trying not to overwhelm
24 Council with everything all at one time. So
25 just to give you a little background as to

1 why we are doing it right now.

2 MS. WERREN: Pat, I think it's great.
3 And I think it's -- you know, you use this
4 time, and we have needed more meat kind of in
5 some of these instances. And, I mean, we do
6 have those -- those times when we just
7 haven't been able to react and respond. And
8 if we are going to move forward on this, I
9 think it's just the perfect timing to do
10 that. So thank you, Martin, for digging into
11 this and hopefully we can get some more
12 things done with it and be more accountable.

13 MR. VAN GUNDY: My pleasure. Thank you.
14 And that's a good point, too, is much of this
15 wouldn't have a whole lot of impact on the
16 current construction. What it does allow us
17 to do is where we have those that aren't
18 following the rules --

19 MS. WERREN: Yeah.

20 MR. VAN GUNDY: -- or doing something
21 wrong -- and you said it best -- it gives us
22 the tools to address that.

23 MS. WERREN: Yeah. And we do, we have --
24 you know, our constituents do call, and we
25 haven't had the means or we have had to have

1 this air -- you know, air pocket contained
2 test to say let's move this forward, and we
3 haven't been able to. And so we have been
4 sitting on a lot of properties, I think, that
5 really need some work. So -- so we are going
6 to be calling you.

7 MR. VAN GUNDY: Any time. I'm glad to
8 help.

9 MS. WERREN: Thanks.

10 MR. REVOLDT: All right. Marty, what's
11 next?

12 MR. VAN GUNDY: Item D, Item D was --
13 well, it was hard not to update some outdated
14 fees while we are in here updating ordinances
15 anyway in Title 13. So Item D really is
16 adjusting the demolition permit fees.

17 So on the first item for -- and this --
18 just -- it doesn't get us up to, you know,
19 the time that it takes on this. Of course,
20 there is some thought here that, you know, we
21 should keep these still relatively low, so we
22 are encouraging the demolition. So I think
23 we still do that, but also charge a fee
24 where, you know, it's a fee that's worth
25 charging as opposed to we are -- we are

1 spending more money collecting the fee and
2 still not covering any of the inspections and
3 plan reviews and whatnot. And that's what
4 this does.

5 MR. CERRETA: Marty, I noticed that there
6 are some big -- big percent increases on
7 that. What -- and I tried looking at other
8 cities, what they were, and I couldn't find
9 them. Where does this stand to the average
10 cities, as far as these fees? Like what is
11 Canton's? What's -- you know, what are some
12 of the other ones? Because I -- I couldn't
13 find it. I got on the internet and I still
14 couldn't find them when I went into their Web
15 sites.

16 MR. VAN GUNDY: Yeah, they were -- the
17 fees were all over the board on that. I
18 don't have my notes right here. And that's
19 one of those things I'd be happy to gather
20 all that, bring it back at the -- at a next
21 Council meeting, as you see.

22 MR. CERRETA: These are pretty big
23 percentages; 150 percent. I mean, those are
24 like -- and I'm sure we were behind the times
25 in many ways, but --

1 MS. WERREN: Well -- well, Marty --

2 MR. CERRETA: We need to be able to --

3 MS. WERREN: -- was there a guideline
4 that you followed?

5 MR. CERRETA: We need to be able to at
6 least tell people this is a standard.

7 MS. WERREN: Right.

8 MR. CERRETA: We can't be \$100 above
9 everybody. Like, why? Because we want to
10 make up on something? So I'd like to get a
11 reference point to these, if you don't mind.

12 MS. WERREN: Great idea.

13 MR. VAN GUNDY: Absolutely. We can do
14 that. And, essentially, in drafting the
15 fees, it was in addition to looking at some
16 of the other jurisdictions. We are also
17 looking at the -- the time that's involved
18 with the plan review part of it, the
19 correspondence, as well as the inspections.

20 And the -- and the commercial properties
21 in particular, we get into EPA requirements,
22 the review for the asbestos, handling the
23 paperwork on the asbestos reports. We have
24 that -- that whole NESHAP program that we do
25 get involved with particularly to keep -- you

1 know, to keep us out of trouble on that.
2 That's where that fee was significant there
3 is -- is there are multiple inspections,
4 depending on the size of the building, of
5 course. And then, as I mentioned, that plan
6 review of looking at the structure being
7 demolished. And then we also get into
8 pedestrian protection on the commercial side.
9 We are also looking at that to make sure that
10 they are not causing any hazard there, as
11 well.

12 MR. DEORIO: And I think just to weigh in
13 a little bit on that, you know, Mark's points
14 are valid. I would just caution everybody to
15 keep in mind that, you know, just from
16 looking at other areas and what they charge
17 doesn't necessarily tell you the whole story.
18 They may only -- they may not do as many
19 inspections on the process as we do. They
20 may just handle it entirely differently and
21 they are able to charge a different amount.

22 And having met with Martin, you know,
23 we -- we went around this, you know, quite a
24 bit to try to keep that incentive there. But
25 let's also keep in mind, this isn't really

1 something that happens a lot in North Canton,
2 demolition of properties. It's -- it's, you
3 know, something that may be in the City of
4 Canton is more in need thereof, and,
5 therefore, you know, they may be
6 incentivizing it even more.

7 But whatever we end up running short,
8 keep in mind, Council, that the general fund
9 has to subsidize wherever we are short. So,
10 Martin, if you could get that information for
11 Mark, to the best of your ability, that would
12 be great.

13 MR. VAN GUNDY: Absolutely.

14 MR. CERRETA: Thank you.

15 MR. VAN GUNDY: No problem.

16 Okay. So Item E -- Item E addresses the
17 contractor registration. Essentially -- and
18 what I'd like to do is couple this item with
19 Item B --

20 MR. DEORIO: 3B.

21 MR. VAN GUNDY: Yep, 3B. Thank you.

22 As -- if -- if this one for some reason falls
23 through, you would -- we'd also need to drop
24 3B, as well, as -- as these are working in
25 coordination with each other.

1 The main effect on this one, one of the
2 things this -- this new language does,
3 besides adding a new chapter in Title 13, is
4 we have done away with the bond requirement.
5 The current legislation requires \$1,000 bond
6 for all contractors. And, you know, in the
7 research of -- of reviewing the history on
8 these bonds, I could not find any history
9 where a bond was ever -- ever leveraged.

10 And, conversely, I have received many
11 complaints from the contractors that they are
12 paying \$100 for this bond, and in many cases,
13 some jurisdictions require it, some don't,
14 but nonetheless, they are having to pay this
15 \$100 bond, and nobody gets anything out of
16 it. So that -- that is not proposed in this
17 language.

18 MR. CERRETA: Good.

19 MR. FONTE: Marty, Dominic here.

20 MR. VAN GUNDY: Yes.

21 MR. FONTE: So like on these bonds or on
22 the fees, would that be like for a one-year
23 period if someone is working on these demos
24 or anything, or do you pay it one time and
25 you can use it for several years, or is it

1 once a year or a 12-month cycle?

2 MR. VAN GUNDY: So on the demolition
3 permit, that was specific to demolishing a
4 structure. So that's -- that's site
5 specific. So every -- every structure that
6 you tear down, you would pay that -- that
7 fee. So that -- that's not tied to the
8 contractor registration, though, for -- to
9 clarify. Those were two separate.

10 MR. DEORIO: I think what Dominic is
11 asking, Marty, is that under the contract
12 registration, if it's a contractor -- say
13 it's a roofer, and he's coming in to get
14 registered, does this bond -- did this bond
15 cover one year, a part of a year, depending
16 on when you registered, or does it go for
17 multiple years?

18 MR. VAN GUNDY: Oh, my apologies,
19 Dominic. I misunderstood. So the bond
20 requirement in the current legislation, that
21 was annually. Every year they had to renew
22 that bond or get a new bond, really.

23 The other thing to note with that is
24 those bond certificates -- and this -- this
25 really was not the reason behind it. The

1 reasons I just cited were the main reasons.
2 But, you know, in looking at it, we also
3 realized that these certificates have
4 hindered our process improvement of scanning
5 documents. These certificates are embossed.
6 We have to keep the hard copy. So we have
7 not been able to get rid of these documents.
8 So this would also help with -- with our
9 filing and streamlining our internal
10 processes, as well.

11 MR. FONTE: Thank you.

12 MR. VAN GUNDY: Uh-huh. So the
13 registration fee, that remains the same.
14 There was no proposed increase in the fee.
15 We -- we do define different contractors from
16 the general contractor to the trade
17 contractor and the engineering contractor.

18 And the other change in this is the
19 current legislation requires liability
20 insurance. However, it doesn't define the
21 amounts of those liability insurance. So we
22 do define the liability insurance, which --
23 which seems to be about average of what the
24 contractors are carrying anyway.

25 MR. FONTE: Is that the \$1 million

1 liability?

2 MR. VAN GUNDY: That is, right.

3 MR. FONTE: Okay. That's what I thought.

4 MR. VAN GUNDY: Yep. Let's see. So the
5 other change in this was -- as far as
6 appeals, we have -- we have revised that and
7 proposed it to match all the other appeal
8 processes that we have, and that is the
9 Zoning Board of Appeals would hear any
10 appeals that are -- that are brought forward.
11 But, again, this also gives us some language
12 in there if -- if the time does come where we
13 do need to revoke someone's license, we have
14 some procedures to do that here. So,
15 essentially, that's -- that's the contractor
16 registration part.

17 And then 909 -- is it okay if I jump to
18 909, changes on the --

19 MR. REVOLDT: Before we do that and move
20 out of this Committee, does anyone else have
21 any additional questions on B, C, D, and E?

22 (No response.)

23 MR. REVOLDT: If not, Ben, would you
24 draft the appropriate legislation for a first
25 reading of each of these for our next

1 Council? First reading only.

2 Okay. Marty, go ahead.

3 MR. VAN GUNDY: Oh, okay. Thank you. So
4 essentially 909, we strike all the language
5 that would conflict with the proposed
6 language from 1310 in there. So this one is
7 really a quick and easy one. Were there any
8 questions on -- on that portion?

9 MR. PETERS: Nope.

10 MR. FOLTZ: No.

11 MR. DEORIO: Jeff, do you want to --
12 while you are in Street now, do you want to
13 let Marty and Dominic go on to A?

14 MR. PETERS: Yeah.

15 MR. REVOLDT: Pat, before we do, can I --
16 I'd -- I'd like to ask for an amendment to
17 our agenda this evening, under 1, Community
18 and Economic Development, to include Item 1F.
19 And that is to schedule a public hearing for
20 zoning changes for outdoor dining. Can I get
21 a motion?

22 MR. FOLTZ: Foltz motions.

23 MR. STROIA: Stroia seconds.

24 MR. PETERS: Was that Matt? Did you
25 second?

1 MR. STROIA: Yep.

2 MR. PETERS: All right. All in favor,
3 say "aye."

4 MR. FOLTZ: Aye.

5 MR. PETERS: Aye.

6 MR. CERRETA: Aye.

7 MR. REVOLDT: Aye.

8 MS. WERREN: Aye.

9 MR. FONTE: Aye.

10 MR. STROIA: Aye.

11 MR. PETERS: Opposed?

12 (No response.)

13 MR. REVOLDT: Just briefly, as you all
14 may remember, the Council sent to the
15 Planning Commission two changes in our zoning
16 ordinance regarding outdoor dining. Those
17 were Ordinances 47-2020 and 48-2020. The
18 Planning Commission met last week, and after
19 discussion, concurred with those changes.

20 And so the next step for us is to set a
21 public hearing. And the -- after the notice
22 is published, the earliest possible date is
23 October 26th. So are there any objections to
24 doing that? I guess not.

25 Mr. President, could we get a motion and

1 a second to set that date?

2 MR. PETERS: Yes, sir.

3 MR. CERRETA: Cerreta motions.

4 MR. FOLTZ: Foltz seconds.

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

6 MR. FOLTZ: Aye.

7 MR. PETERS: Aye.

8 MR. CERRETA: Aye.

9 MR. REVOLDT: Aye.

10 MS. WERREN: Aye.

11 MR. FONTE: Aye.

12 MR. STROIA: Aye.

13 MR. PETERS: Opposed?

14 (No response.)

15 MR. REVOLDT: Okay. Ben, take care of

16 that then. Thank you.

17 MR. YOUNG: Before or after the regularly

18 scheduled meeting?

19 MR. PETERS: Before.

20 MR. REVOLDT: Let's do it -- let's do it

21 before.

22 MR. PETERS: Yeah. Okay. That concludes

23 Community and Economic Development. And

24 we'll go ahead and head into Street and

25 Alley. Marty, you have already handled B?

1 MR. FONTE: So Streets and Alley, A,
2 Marty is there to chime in, but, basically,
3 those are some revisions to talk about the
4 specifications for the road, milling,
5 different -- different procedures to make
6 sure that everybody is stepping up to the
7 standard that we need here in North Canton.

8 Marty, you can chime in on that A.

9 MR. VAN GUNDY: Absolutely. Thank you.
10 And -- and this draft was in coordination
11 with building, engineering, and
12 administration. And one of the items that
13 spurred this change was the option of bonds
14 as opposed to the cash deposits and help
15 better defining those procedures.

16 And similar to the other ordinances, we
17 did take this opportunity to update the
18 legislation to the current needs for the
19 construction in the public right-of-way
20 particularly. One of the items I'd like to
21 point out here is under the exceptions, we
22 specifically are proposing an exception under
23 907.02, Item D, and excepting basic, simple
24 sidewalk replacements from the deposit or
25 bonding requirements here, you know, in hopes

1 of, again, incentivizing the replacement of
2 the sidewalks and keep -- keep everything
3 safe there and keep that process as simple as
4 possible.

5 And I will turn it over to Rob or
6 Patrick, if they have anything further to add
7 on that.

8 MR. DEORIO: Yeah, I would. So I think
9 one of the important things to note, since we
10 just got done talking about eliminating bonds
11 in a previous section, and now we are talking
12 about allowing for bonds in this section,
13 they are different types of bonds. And this
14 particular bond is -- is a performance bond,
15 and it protects the City. The other bonds
16 that are part of the contractor registration
17 did nothing to protect the City, nor should
18 they. Those are matters between the two
19 willing parties that enter into a contract.

20 This is -- so say you have a utility
21 company that comes into the City and they
22 want to dig up our road, our right-of-way,
23 the sidewalk, the curb, the gutter to do
24 whatever it is -- repair or upgrade that they
25 need to do. And in the past, we would

1 require them to post a cash deposit. And
2 there is a big problem with posting cash
3 deposits. First of all, it requires
4 calculations to determine what it is, how
5 much cash. Then it's handling a certified
6 check, check, money order, cash. And that
7 puts us into either receipting it once in the
8 building department, documenting it over to
9 the finance department where they check the
10 numbers, and then rerun the totals and then
11 we run it and take it to the bank, or the
12 bank reruns the totals. And we end up using
13 a lot of time just receiving the money in and
14 documenting where all it goes.

15 And then we work it in reverse. At some
16 point later, when that construction project
17 is completed and it's to our satisfaction of
18 the engineer, and we release the cash
19 deposit, we have to do the whole process in
20 reverse. And it's -- it's very inefficient.
21 Where we could be more easily, and better for
22 the utility company, to just post a bond for
23 the project. And then if something happens
24 that it isn't met to our satisfaction, and
25 the utility company isn't going to make it

1 right, then we can go to the bonding company
2 and seek a payout under the bond.

3 So it seems to be a much more efficient
4 way for everybody to handle it. I don't --
5 at really a lower cost. Because as we look
6 at -- you know, a particular company that we
7 are working now with, a number of different
8 spreadsheets going back and forth, trying to
9 figure out on these cash deposits, when were
10 they done, when are they owed a refund. And
11 the bond would simply just expire after a
12 year, after the time that it's specified that
13 it needs to be on hold for.

14 So that's kind of the background of
15 utility companies, you know, coming to us on
16 that. And it's anybody basically that's
17 opening up the road. Doesn't necessarily
18 have to be a utility company. That's just
19 the most recent example.

20 Rob, did you want to jump in on there?

21 MR. GRAHAM: I think you covered it,
22 along with Martin, quite well, Patrick. One
23 of the things, too, is we had added another
24 90 days for the amount of time until we would
25 release the bond. The ordinance did read 90