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CITY OF NORTH CANTON, OHIO

IN RE:	)	
	)	
NORTH CANTON	)	
COMMITTEE OF THE WHOLE	)	
VIRTUAL MEETING	)	
	)	
	)	<b>TRANSCRIPT OF PROCEEDINGS</b>
	)	

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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

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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

1 days before. But I'd really like to see that  
2 trench, if they are doing a gas line, let's  
3 say, underground trench, I really want that  
4 to go through a freeze-thaw cycle. They can  
5 do a very good job at compaction, but -- but,  
6 you know, that one season is really going to  
7 show us. So that -- proposing to up that to  
8 180 days or six months. So it should get us  
9 through, you know, a freeze-thaw, to get a  
10 better idea of that, so -- and not release it  
11 too early.

12 MR. PETERS: Okay. Dominic, we are on to  
13 C?

14 MR. FONTE: Sidewalks. So this has a lot  
15 of information pertaining to installation of  
16 sidewalks, existing sidewalks, new sidewalks,  
17 voluntary participation, if money is  
18 available. And then like if we were talking  
19 about where we might want to add sidewalks to  
20 make it a little more connective, they have  
21 two to three criterions they have to meet.

22 And, Marty, I know you pretty -- were  
23 pretty serious into this, Pat and Rob, so if  
24 you guys want to chat on that a minute.

25 MR. DEORIO: Well, I think we should

1 first note that we did have some, you know,  
2 initial inquiries back early on, after  
3 Council, you know, passed this last year and  
4 as we got into the beginning part of this  
5 year. And I think on several of those  
6 properties, we sent out our respective  
7 personnel from the building department to  
8 inspect and certify that the sidewalks did  
9 meet the criteria that was established.

10 But then, you know, COVID hit, and as  
11 part of that process, you know, that the  
12 Finance Director asked us to go through --  
13 because we weren't really quite sure what we  
14 would be getting into back in March. So all  
15 of these types of capital improvement  
16 projects we just put on hold. And we did  
17 have money put in the budget for sidewalks as  
18 we went into 2020, but we put all that on  
19 hold pending that coming out.

20 So at this stage, you know, where we are  
21 in the game, it's something we are budgeting  
22 for, trying to budget for for next year, to  
23 anticipate that this would go forward. You  
24 know, there are all kinds of different, you  
25 know, marketing that it can go towards in

1 getting the word out. I have had an  
2 inventory done of all the prospective  
3 sidewalks that tentatively meet the criteria.  
4 I have done that for all four wards. And,  
5 you know, it could start with, you know,  
6 marketing to those groups -- that group of  
7 people as a possibility.

8 So we have tried to get prepared for a  
9 better roll-out on this, just based on what  
10 we had done before. But, you know, it's up  
11 to Council if they want to go beyond that.  
12 You know, as we have talked before if you  
13 want to -- if we want to go forward as a City  
14 and put a sidewalk on a particular street, to  
15 the extent that there may be some individuals  
16 that are not willing to participate, there  
17 are some extra steps that we have to go  
18 through then in order to be able to move that  
19 project forward. So we need to kind of be  
20 taking those steps if that's something we are  
21 going to be doing as we get into next year.  
22 But that's kind of the overview, Dominic.

23 MR. FONTE: Patrick -- Patrick, Dom here.  
24 So what would you say is our allocation  
25 towards the sidewalk fund going forward for

1 the budget, I guess?

2 MR. DEORIO: Well, it's -- you know, we  
3 are -- Jina and I are working on the budgets.  
4 This is kind of our -- you know, our -- each  
5 of our second or third go-around with this,  
6 and we are now fine tuning that. We were in  
7 budget meetings for about six hours today,  
8 and we are scheduled for that tomorrow and  
9 Wednesday, to see if we can, you know, narrow  
10 the gap. But, tentatively, this is subject  
11 to, you know, Council's final approval. But,  
12 tentatively, we -- we have scheduled like  
13 \$50,000 for 2020.

14 MR. FONTE: And how much do we have in  
15 the account now that we didn't use because of  
16 COVID?

17 MR. DEORIO: Well, we had budgeted \$100-.

18 MR. FONTE: So we'll have \$150- by 2021?

19 MR. DEORIO: No. When the -- when the  
20 calendar year clock strikes, any monies that  
21 are not spent go back to the -- to the  
22 general fund, which they hence came. So  
23 zero-based budgeting. We start over at zero.

24 MR. FONTE: Is there any way -- and I  
25 don't know how everybody else feels, but I

1 think -- the thinking was, why we were  
2 talking -- wanted to talk about this is, you  
3 know, along with the North Main, South Main  
4 corridor, we want to make sure we have a  
5 walkable community in some of the areas,  
6 like, for example, up Glenwood and maybe  
7 Lindy Lane, and some of those areas, tying to  
8 the parks, to the schools, to the main  
9 corridor.

10 So, I mean, Mark -- Mark and I talked  
11 about this a lot, and I know Doug is  
12 interested in it, and whoever else chimes in.

13 MR. CERRETA: Dom, can I -- can I say a  
14 few things with that?

15 MR. FONTE: Go ahead, buddy.

16 MR. CERRETA: I did -- I did some  
17 research on -- on the internet here, so --  
18 since you -- we put this out. Because we  
19 have been talking about this a long time.  
20 And I wanted to see how other communities pay  
21 for their sidewalks. And -- and, yes, most  
22 of them pay it similar to we do; you know,  
23 the financial burden is on the resident to  
24 install and take care of it. And it usually  
25 doesn't support, you know, what is needed,

1           what we want in our community in many ways.  
2           It becomes -- you know, it looks -- looks  
3           terrible in many -- you know, this is what  
4           they are saying on the internet; it looks  
5           terrible until it gets to the point where  
6           something has to be forced to do.

7           So here are a few examples that I saw on  
8           the internet of communities that are trying  
9           to pay for sidewalks in different ways. And  
10          we can look at these and even combine  
11          methods, if we are looking for, you know, a  
12          program to kind of put in place to kind of  
13          balance, take money from here or there,  
14          wherever.

15          Here are some of the ways that some  
16          people pay it. I am not saying that we do  
17          these. I'm just giving -- you know, food for  
18          thought, a brainstorm. First of all, you  
19          just -- one of us finds the money somewhere  
20          else in the budget that maybe something can  
21          wait a year. We spent a lot of money on  
22          maybe something -- maybe a whole road that  
23          can be just patched, you know, and then puts  
24          that into a sidewalk somewhere.

25          Secondly, include it every year, just

1           like we do the street budget. You know, try  
2           to offset it with grants. You know, Rob is  
3           the grant expert there. I don't know what's  
4           available there. Third, put a street levy  
5           out. This is just something that some people  
6           do, you know, to care for these issues. It  
7           would be a very, very small thing. Four,  
8           some cities use sidewalk district fees on the  
9           property taxes. Okay? That's -- I'm not  
10          saying that we do that, but I'm just telling  
11          you what people do.

12                 Another one is a reasonable charge to --  
13          for -- a fee for homeowners for City to  
14          repair it. And it's usually a percent per  
15          linear feet. For example, \$100 for the pad,  
16          and then the City picks up the other. The  
17          other one here, City tax -- City can tax  
18          deductible it. Make it a tax deductible for  
19          the people within the City when they put  
20          money towards these kinds of things. Another  
21          one -- this is the last one, because I don't  
22          want to just bore you guys. Any road with  
23          existing sidewalks that undergoes a street  
24          resurfacing gets a sidewalk review and  
25          replace the needed slabs. Every time you do

1 a road and it has a sidewalk, it goes through  
2 a review and those slabs get re -- added to  
3 that budget.

4 So, you know, there are a lot of ways we  
5 can look at this. We just need to come up  
6 with a plan. And what a lot of the cities  
7 are doing is they -- they create like a  
8 pedestrian master plan. And I know that's  
9 what Pat kind of put together. I thought  
10 that plan last year was a good plan. We just  
11 need to kind of work it through so we get  
12 what we want. We need come new sidewalks,  
13 not just replacing.

14 But we need to complete the inventory,  
15 and it sounds like Pat has done that and, you  
16 know, assessed the priorities based on, you  
17 know, the location, public right-of-ways,  
18 schools, desired walk venues. And then, you  
19 know, create this three-, five- or ten-year  
20 plan based on our walking needs and our  
21 traffic, to start setting it up in our budget  
22 to what we want to do. We have been talking  
23 about a lot of these for years.

24 And then for repair of existing  
25 sidewalks, it's kind of a different -- also,

1           however we pay for them, every year we do  
2           like a -- we build up that fund, and one to  
3           three times a year, you know, we put it out  
4           like -- like Pat wanted to do to -- to get a  
5           bid, so we can get a better price and bundle  
6           them all together and get them done.

7           So I just -- going through this, there  
8           are so many ways. And we just talk about one  
9           or two ways. We need to put together a plan  
10          and get some things done here. And if it  
11          costs us, you know, to put some things  
12          together, well, we are going to get whatever  
13          we put into it. We are going to get nice,  
14          newer sidewalks, people walking to where we  
15          want them to go.

16          Because in many ways, you know, sidewalks  
17          are a community resource, and -- and more  
18          than just enhancement of somebody's property.  
19          Nobody says, oh, my property looks great  
20          because my sidewalk looks great. That's not  
21          necessarily the reason we put sidewalks in.  
22          They are a community resource, like Dom said,  
23          that you can walk and make it a walkable  
24          place, get to the park, get to the shops,  
25          that kind of thing.

1           So those are food for thought. Thanks  
2 for the time. I'll stop talking now.

3           MR. FONTE: Thanks, Mark. That's very  
4 good input.

5           Anybody else?

6           MR. FOLTZ: Yeah, Dom, it's Foltz.

7           MR. FONTE: Yes, Doug.

8           MR. FOLTZ: Hey, Mark, that was great,  
9 you reviewing that. I appreciate it. You  
10 know, I think we come back and we've talked  
11 about the history of this for my tenure; for  
12 26 years, we have talked about sidewalks.  
13 And I don't think anybody has ever taken  
14 advantage of paying 50 percent to have theirs  
15 replaced. So -- and not unless Pat you can  
16 chime in, if there is something on the books  
17 this year before COVID struck and we kind  
18 of -- you know, kind of --

19           MR. DEORIO: No, sir, there were --  
20 nobody that approached us directly.  
21 Although, I did have a -- a contractor who  
22 was doing some sidewalk work that expressed  
23 that his client was unaware of this City  
24 program. And I have talked to, you know,  
25 some constituents that have had some of the

1 bad sidewalks, to see if they are aware of  
2 this program, and the answer is no. So I'm  
3 thinking part of it is to what Mark is  
4 saying, is that, you know, we need to -- and  
5 Dominic both, you know, we need to get the  
6 word out a little better if we want --

7 MR. FOLTZ: Yeah.

8 MR. DEORIO: -- people to take advantage  
9 of it. But to Mark's point of trying to  
10 prioritize and strategize where you are going  
11 to spend your limited resources, I think  
12 having a plan, whether it's as he said, a  
13 five-year or a ten-year plan, whatever it is,  
14 that we have that plan and we work towards  
15 that plan.

16 MR. CERRETA: Yeah.

17 MR. FOLTZ: Patrick --

18 MR. FONTE: Oh, go ahead, Mark.

19 MR. FOLTZ: No. It's Doug.

20 MR. FONTE: Yeah. Yeah.

21 MR. FOLTZ: Just a follow-up. Yeah, I  
22 think -- I think they are two separate  
23 things. You know, Easthill and East Maple,  
24 we got a major -- majority grant to pay for  
25 those. And they weren't there before. And

1           that's great. We are connecting. If we are  
2           talking about other streets, Glenwood, Lindy  
3           Lane, we are talking about putting in new  
4           sidewalks and not charging any of the  
5           residents for it, I believe, because that's  
6           the way our existing sidewalk policy  
7           ordinances are written now.

8           The discussion point, in my view,  
9           that's -- they are separate. And we can put  
10          sidewalks there. But when you go down  
11          Woodrow or parts of Portage or other -- and  
12          they are in every ward. You probably have a  
13          lot -- I just looked today. There are at  
14          least 25 to 30 slabs --

15          MR. CERRETA: Yep.

16          MR. FOLTZ: -- of sidewalks that don't  
17          meet our codes. And not to throw any -- any  
18          residents -- you know, not to say go out  
19          and -- and, you know, write up letters and  
20          send them right now, because I don't think we  
21          have been consistently doing that. But those  
22          are the existing sidewalks that do need some  
23          attention. So how are we going to address  
24          that? You know, 50 percent doesn't seem to  
25          -- whether they knew about it or not, we are

1 not capturing new improvements in those  
2 neighborhoods. And I think we have got to  
3 figure out how to do that.

4 Because I think it's -- if you are going  
5 to put new sidewalks in where they don't  
6 exist, you better have a program -- and maybe  
7 it's free, too -- to replace some of these  
8 old sidewalks that someone did pay for or  
9 someone repaired through the years.

10 And I think as a secondary point, when  
11 you are looking at existing sidewalks, you  
12 are talking about what are the reasons for  
13 the sidewalks to heave up or why is there  
14 disintegration of existing sidewalks. Is it  
15 age? And probably the ones on Woodrow are  
16 more tree driven, you know, as far as the  
17 roots being -- you know, the trees being  
18 planted in the -- in the grass lawn strip,  
19 and then, you know, under the power lines,  
20 and maybe they weren't the right tree for  
21 that area to begin with. So that's a whole  
22 other discussion with that. So I just want  
23 to be sensitive to that.

24 I'm not going to vote, hey, let's put new  
25 sidewalks in Glenwood or some other place.

1           You know, I think -- I would vote for it if  
2           there is a fair policy for the existing  
3           sidewalks, to deal with some of these other  
4           issues. That's -- that's my input, and how  
5           do we get there, I guess.

6           MR. FONTE: Yeah, I agree, Doug. This is  
7           Dom again. So -- so what I think -- like  
8           what Mark was saying, I think we need to --  
9           and, Pat, maybe you can help us figure this  
10          out. We would like to see if there is a way  
11          to do the existing replacement and the new  
12          sidewalks, and is there a plan of action we  
13          can work some into the budget over the next  
14          year, so that we can -- you know, after COVID  
15          or whatever, we can get aggressive with  
16          trying to connect things up over the next  
17          three to five years.

18          MR. DEORIO: Well, to address Member  
19          Foltz, you know, he -- he indicates, really,  
20          you know, one of the -- one of the big  
21          triggers. It's called moral hazard. And I  
22          think that moral hazard is that when you get  
23          in the business of just replacing people's  
24          sidewalks that are not taken care of -- use  
25          the one, say, on Woodrow as an example -- you

1 create the moral hazard of why should I  
2 bother to do anything about it; some day the  
3 City is going to come along and just fix it  
4 for us.

5 And I think that's where Member Cerreta's  
6 plan identifies what areas do you want people  
7 to be able to walk to and from to. And  
8 maybe, you know, Woodrow is maybe that  
9 street, where the City is going to exercise  
10 some sort of direction that we want to  
11 connect these areas of town to one another.  
12 Not everybody lives on that street. And that  
13 the rest of the -- the people that don't live  
14 on those streets, you know, do have to  
15 maintain their sidewalk and take advantage of  
16 the -- of the City program to split that.  
17 And if they don't, then I think, you know, it  
18 comes down to then the code enforcement.

19 MR. FONTE: Patrick, if we can come up  
20 with a good plan that everybody thinks is  
21 viable, I'll be more than happy to create  
22 information and -- and promote it or market  
23 it, you know, on behalf of the -- you know,  
24 the wards, all of our wards, the City, or  
25 just however I have been doing the other

1 ones. You know, I'd be more than happy to do  
2 that and blast it out there. So once we are  
3 ready, we can educate the constituency.

4 MR. DEORIO: Well, how about I do this?  
5 Why don't -- would Council be interested in  
6 me getting some information on perhaps an  
7 entity that can do a sidewalk walkability  
8 study?

9 MR. FONTE: Yes, that would be great.

10 MR. DEORIO: It's part of the master  
11 plan. I think, Mark, you might be able to  
12 help me remember. But I know the master plan  
13 addressed wanting more walkability.

14 MR. CERRETA: Right.

15 MR. DEORIO: And maybe we should have  
16 somebody draw up that plan. What does that  
17 look like, you know, kind of thing. That's a  
18 possibility. Or we could try to do it  
19 ourselves.

20 MR. FONTE: I think we need --

21 MR. PETERS: Hey, Dom --

22 MR. FONTE: Yes.

23 MR. PETERS: Hey, Pat, this is Peters.  
24 If I could chime in real quick here, and,  
25 Pat, to your point, as far as a walkability

1 study, I wouldn't be opposed to that. I'd  
2 like to know what the cost is first.

3 MR. DEORIO: Yeah.

4 MR. PETERS: And -- and one question to  
5 you, Pat, as well, regarding the funding in  
6 the -- in the budget. What was the thought  
7 process to reduce that from the \$100,000 we  
8 had already encumbered, to \$50- for '21?

9 MR. DEORIO: Wait until you see the  
10 budget.

11 MR. PETERS: Okay.

12 MR. DEORIO: We are -- we are dealing in  
13 a post-COVID environment.

14 MR. PETERS: Right. Okay.

15 MR. DEORIO: And there is just, you  
16 know -- we are having to make choices. And  
17 so we'll certainly be, you know, between  
18 finance and myself, reviewing and --  
19 reviewing all that with you. But, you know,  
20 once we get it to a draft form, then, you  
21 know -- you know, the Mayor is in -- you  
22 know, this is his budget, and it's reflecting  
23 a direction that he wants to go. And so we  
24 are trying to craft that together and keep in  
25 mind our capital restraints that we might

1           have. But, ultimately, it comes down to City  
2           Council deciding which direction you want to  
3           go.

4           MR. PETERS: Okay. Got you.

5           MR. REVOLDT: Hey, Jeff.

6           MR. PETERS: Yes, sir.

7           MR. REVOLDT: Hey, this is -- this is  
8           Daryl. You know, I -- I think the -- the  
9           fact of the matter is, we already know what  
10          streets we need sidewalks on. Those are our  
11          connectors.

12          MR. PETERS: Right.

13          MR. REVOLDT: And we can identify those  
14          by traffic volume. And we know where the  
15          holes are on those connectors. I think we  
16          ought to -- my own personal view is we ought  
17          to -- we ought to install and repair those at  
18          municipal expense, because they serve more  
19          than the neighborhood; they serve the entire  
20          community.

21                 Long to long time ago, when Boyajian was  
22          Administrator, we had a fund that we would go  
23          out and we would repair sidewalks. You know,  
24          and we just awarded it to a contractor. You  
25          know, it was 20 grand or something; hey, go

1 do it.

2 So I think it's important that -- that we  
3 could just really survey our connectors to  
4 get started. We just -- to Mark's point, you  
5 have just got to figure out who's going to  
6 pay for it.

7 I think the other question I have got,  
8 and that is this -- and maybe this is -- will  
9 bring some additional clarity. But as I look  
10 at Bitzer, I'm not sure that if sidewalks are  
11 not ADA compliant, the responsibility rests  
12 with the property owner.

13 MR. FONTE: Didn't they have a grant for  
14 that? Hey, Doug -- or --

15 MR. REVOLDT: What I was going to say --  
16 let me just finish this thought, and -- and  
17 we can come back to this. But I'm not sure  
18 that -- that ADA compliance falls on the  
19 property owner, but it may fall on the City.

20 MR. PETERS: Yeah, it might.

21 MR. REVOLDT: In which case, if you are  
22 going to get yourself compliant, we're going  
23 to have to figure out how we do it.

24 MR. FOLTZ: Dom, go ahead.

25 MR. FONTE: I was just going to say, we

1 had a grant to fix a lot of the streets.  
2 That's why they did all the ADA corners.

3 MR. FOLTZ: Right.

4 MR. FONTE: And Rob would know more about  
5 that. Rob can chime in on this one.

6 MR. GRAHAM: One of the things, like  
7 Portage, when we are paving, whenever we do a  
8 project that's federally fund, the federal  
9 funds mandate a condition of that, and  
10 they'll cover the cost of upgrading all those  
11 curb ramps to ADA standards. You'll notice  
12 we did about 80 percent of them on Portage.

13 MR. FOLTZ: Right.

14 MR. GRAHAM: We had federal dollars. But  
15 we were required to do that as a condition of  
16 the grant, and they also participated. They  
17 covered 80 percent of that cost.

18 MR. FONTE: And they cover the Main  
19 Street corridor or any other side streets in  
20 the City?

21 MR. GRAHAM: Only if we have federal  
22 funds. And federal funds we have to have on  
23 the -- basically, a larger traffic road,  
24 so --

25 MR. FONTE: Would Glenwood -- would

1 Glenwood qualify for that?

2 MR. GRAHAM: Yes, Glenwood would qualify  
3 for federal funds.

4 MR. FONTE: And Lindy Lane is another  
5 pretty busy street.

6 MR. GRAHAM: Right. Lindy Lane would  
7 not. But we would have to get a grant just  
8 for a sidewalk, and it would be tough to -- I  
9 mean, we did it on East Maple. But those are  
10 tough to get. But they are out there, the  
11 transportation enhancement projects or  
12 alternatives, TA, transportation  
13 alternatives, to get people walking or  
14 biking. The thing is SCATS pretty much has  
15 all their projects spoken for up through  
16 2026.

17 MR. FONTE: Oh, wow.

18 MR. GRAHAM: You know, it's pretty  
19 competitive to get those. So we have got our  
20 TIP, our transportation improvement plan,  
21 through the county is pretty much set  
22 through -- it's funded through 2024, and we  
23 got a slate of projects through 2026. So it  
24 would be a long time before we could make  
25 applications and get a new project on there.

1 MR. FOLTZ: Hey, Dom, I had a few more  
2 comments. It's Foltz. Hey, Rob, is there a  
3 way you can put an estimate together for,  
4 say, a Lindy Lane, a Glenwood, a 7th Street,  
5 to know a ballpark what we are looking at as  
6 far as new sidewalk installation?

7 MR. GRAHAM: Yeah, absolutely. I mean,  
8 rule of thumb is \$10 a square foot for a  
9 standard sidewalk. You know, so then our  
10 walks are 5 feet wide, so you're looking --

11 MR. FOLTZ: Right.

12 MR. GRAHAM: -- about \$50 per linear  
13 foot, is a pretty decent number.

14 MR. FOLTZ: That's new installation.  
15 What's the cost on replacing deteriorated  
16 sidewalk or non-code sidewalk, where it's a  
17 code violation sidewalk?

18 MR. GRAHAM: I guess that's really going  
19 to vary by economy of scale. If we are just  
20 doing three or four spots, we are going to  
21 pay a premium to get, you know, a yard of  
22 concrete delivered and drive that truck all  
23 over. If we are doing a large program, we  
24 could probably get that at maybe \$6.50, \$7 a  
25 square foot.

1 MR. FOLTZ: Okay. That would be --  
2 that --

3 MR. FONTE: That sounds good.

4 MR. FOLTZ: That's what I'd like to see,  
5 Dominic. If someone would -- would just look  
6 at Woodrow, for example, just look at all --  
7 and I'm telling you, there are some bad areas  
8 there, if you rode your bike --

9 MR. FONTE: I agree.

10 MR. FOLTZ: And a wheelchair -- and a  
11 wheelchair would have a problem trying to get  
12 over it. They'd have to go in somebody's  
13 grass or figure that out. What would the  
14 cost be to do that? And I think that's the  
15 way we have got to look at it. And the  
16 only -- the only sticking point, what do you  
17 do with the trees.

18 Because, you know, our existing policy  
19 indicates the tree removal is the homeowner's  
20 responsibility. So is that the caveat, if we  
21 are going to do all the sidewalks -- say, for  
22 example, Woodrow -- and I think -- I think  
23 the residents have to be contacted. But if  
24 we are going to do all the bad ones -- and I  
25 know East Ohio -- or Dominion came through

1 and did several of them when we were putting  
2 the lines in up there. So some of those got  
3 corrected.

4 But if there is a way to look at that as  
5 a package, I think you -- maybe look at do we  
6 do a Glenwood and then do a Woodrow, or do we  
7 do this and then look at some other  
8 neighborhood areas. And every ward probably  
9 has them. You know what I mean? But Woodrow  
10 is prevalent to me, because -- because you  
11 see it all the time. It's a long -- it's a  
12 beautiful street and it's -- it's a walkable  
13 street. So that's my idea on that.

14 MR. FONTE: Doug, Dom here. I was just  
15 going to say, the batching process, you know,  
16 if we were to say, okay, we are allocating so  
17 many linear feet, and then that would be we  
18 just identify where they are, so we can batch  
19 it up more efficiently and affordably, you  
20 know.

21 MR. FOLTZ: Right. And say we put the  
22 price tag on this whole thing, it's 100  
23 grand, between this and that. Who knows?  
24 Maybe that's where we start and have more  
25 discussion on it. Because I don't see

1 anybody taking advantage of this 50 percent.  
2 They haven't done it for years. Now if you  
3 write them up for code violations, enforce  
4 the hand, then maybe that's a different  
5 story. But that takes, you know, inspectors  
6 to go out there and writing letters and  
7 saying, hey, you know, this is your  
8 responsibility and you better cut that tree  
9 down, because that -- that root is causing  
10 that problem with the tree. So, you know,  
11 there is a lot more to discuss.

12 MR. DEORIO: Okay. So --

13 MR. CERRETA: Especially since we are  
14 be -- we're going to be doing Glenwood Street  
15 this year, or next year -- when is it, Rob?  
16 When do we start Glenwood?

17 MR. FONTE: Next year. Next year.

18 MR. CERRETA: Okay. So --

19 MR. GRAHAM: At least the waterline, and  
20 then we can see what else we can do with it.

21 MR. CERRETA: Yeah. Yeah.

22 MR. FONTE: The worst section --

23 MR. REVOLDT: Hey, this is Daryl. Rob,  
24 when you do this, I think it's really  
25 critical, not only do you put the cost

1 estimate in, but you need to identify if  
2 there is sufficient right-of-way. Because I  
3 know on Lindy Lane, that right-of-way I do  
4 not believe is wide enough either on the east  
5 or the west side to accommodate a sidewalk.

6 MR. GRAHAM: Right. And -- and not only  
7 right-of-way width, but what are we looking  
8 at. Like Glenwood, if you look on the south  
9 side, as we go up the hill, it's a big  
10 embankment.

11 MR. CERRETA: Just the north side. Yeah,  
12 you can't do the south side.

13 MR. REVOLDT: So I think we need to be  
14 aware of the sort of technical -- technical  
15 limitations of some of these streets.

16 MR. GRAHAM: And that's kind of the  
17 reason some of these streets don't have it.  
18 If it was easy, it probably would have been  
19 done long ago.

20 MR. FONTE: I agree on Glenwood --

21 MR. FOLTZ: Well, some of that is true,  
22 Rob. But, here again, in the history, when  
23 we start talking sidewalks -- and Daryl  
24 remembers -- it was tongue-in-cheek. It was  
25 a heated discussion about sidewalks. But we

1           needed so much curb and gutter at the time, I  
2           felt that we had to address some of our storm  
3           issues. I think we caught up with a lot of  
4           those. I think the City overall is pretty  
5           good with the pavement. And that's a credit  
6           to current administration and past, you know,  
7           and councils. I think, you know, we are  
8           pretty -- we are in pretty good shape with  
9           our roads overall versus a lot of  
10          communities. And we are all thankful for  
11          that. But I think now the focus has changed.

12                        So that's -- that's why I said, let's  
13           really look at this seriously for next year  
14           if we are going to continue with these  
15           policies. You know, let's put something in  
16           the budget and get some criteria to go by.

17                        MR. FONTE: I think the timing would be  
18           great -- it's Dom -- regrading tying these up  
19           to go along with our Main Street corridor  
20           plan that we have been working on for a  
21           couple years now.

22                        MR. FOLTZ: Yeah. Okay. Good discussion  
23           everybody. Appreciate it.

24                        MR. FONTE: Thank you.

25                        MR. PETERS: Dom, is that it for you?

1 MR. FONTE: Yep, I'm good. Just move it  
2 to the schedule to see if we can turn it into  
3 reality.

4 MR. PETERS: All right. Thank you, sir.  
5 Okay. Next up, Finance and Property,  
6 Chairwoman Werren. I think you are still --

7 MS. WERREN: Am I on?

8 MR. PETERS: Yep. Got you.

9 MS. WERREN: Okay. You can hear me?

10 MR. PETERS: I can.

11 MR. REVOLDT: Yes.

12 MS. WERREN: Okay. Good.

13 MR. PETERS: Well, we had you.

14 MS. WERREN: You wanted to say about --  
15 hello.

16 MR. PETERS: Okay. We got you back now.

17 MS. WERREN: Okay. Sorry about that.

18 MR. DEORIO: You broke up, Stephanie. I  
19 don't think we heard what you wanted to  
20 happen.

21 MS. WERREN: Oh, sorry. Patrick, do you  
22 want to say anything? I'm kind of losing  
23 you. I don't want to make everybody --

24 MR. DEORIO: Yeah, I think this Item A is  
25 Jina.

1 MS. WERREN: Okay. I'm sorry. I asked  
2 for Jina. I'm sorry. I didn't know if she  
3 heard me or not.

4 MS. ALABACK: Okay. No, I didn't. I  
5 apologize.

6 MS. WERREN: Sorry, Jina. No. It's me.

7 MS. ALABACK: No problem. Okay. Yes,  
8 I'll explain the agenda request that we have  
9 on here for an ordinance of appropriation  
10 increase. We received an additional donation  
11 of \$7,500 for the farmers market budget, so  
12 we would like to appropriate that so that we  
13 can spend that to carry that indoors through  
14 the year, through fall and winter.

15 And then we also need to increase the  
16 general fund law and council departments to  
17 pay out the severance on the former Law  
18 Director and also to add the contract for  
19 professional legal services that we approved  
20 at the last meeting. We need a budget to be  
21 able to pay that contract.

22 MS. WERREN: Okay. Thank you. Are there  
23 any other questions?

24 (No response.)

25 MS. WERREN: Okay. So let's put that on

1 the agenda for next time.

2 MS. ALABACK: Thank you.

3 MS. WERREN: Sorry for the bad  
4 connection.

5 MR. PETERS: We still got you.

6 MS. WERREN: Okay. Okay. So number B,  
7 Patrick and I talked earlier. And, Patrick,  
8 do you want to kind of talk about this and --

9 MR. DEORIO: Yep.

10 MS. WERREN: -- just where we are heading  
11 with this and just kind of catching up on it?

12 MR. DEORIO: Okay. So Item B and C, B is  
13 on here because of C. So C was -- I'll get  
14 to it, but to just kind of set up Item B. So  
15 Item C is the next property in the K-Mart  
16 strategy that -- that we had put forth, you  
17 know, nine months -- eight, nine months ago,  
18 is to get this second of three parcels. So,  
19 of course, we have got the first parcel.  
20 This is the second one.

21 So knowing that that was getting ready to  
22 close, we looked at that to see where we  
23 were, and getting it scheduled and working  
24 with the seller on that. And then while we  
25 were doing this, we were reviewing where we

1           were with everything else. It has been a  
2           very crazy, hectic summer and the like. And  
3           so I discovered that Item B, which is the  
4           purchase of the -- of the Commercial Savings  
5           and Bank at 1200 North Main Street, that we  
6           inadvertently did not bring this to Council  
7           for Council to refer it to the Board of  
8           Control for the Mayor to enter into this  
9           agreement.

10                 So we did secure the property. The  
11           property is in our name. We are going  
12           backwards in time here to try to -- to  
13           resolve this and -- and just have it done.  
14           But it is a -- it is an oversight on our part  
15           to not get a legislative request over to  
16           Council for this. So we have been -- I think  
17           the Law -- Assistant Law Director, Terry  
18           Moore, is on the line if we have additional  
19           questions on that.

20                 But this is for the -- Item B is the  
21           property for the proposed location for the  
22           public safety service center. So we have  
23           acquired three of the -- this would be the --  
24           the three parcels we have done, and we have  
25           been in discussions of late with the fourth

1 property owner, and we believe that that  
2 could be coming to Council shortly.

3 So -- and we -- as far as the final  
4 property then in the K-Mart thing, we are  
5 exercising our due diligence at this time.  
6 So once that's concluded, we'll know how we  
7 are moving forward on that. So we have some  
8 time on that. We have, I believe, 120 days  
9 to do due diligence there.

10 But in any event, so B came to us because  
11 we were getting ready to throw Stratavon on  
12 the books. And we looked and said we -- we  
13 inadvertently did not bring this back to  
14 Council. We closed on the property in the  
15 latter part of July.

16 MR. CERRETA: Can we get an update  
17 sometime on the -- on the K-Mart property,  
18 before we move another \$150,000 somewhere  
19 down the line?

20 MR. DEORIO: Well, you can call me at any  
21 time.

22 MR. CERRETA: I have been asking for that  
23 for how long now? For about a month.

24 MR. DEORIO: Mark, pick up the phone,  
25 give me a call. I'll be glad to tell you --

1 MR. REVOLDT: Pat, Mark, this is Daryl.  
2 I want to -- I want to point something out  
3 here just for a second. If anyone needs an  
4 update on a parcel, on these projects, they  
5 should call Pat.

6 MS. WERREN: Yeah, I agree. This is --

7 MR. REVOLDT: Let me just -- let me just  
8 continue here. But everybody needs to  
9 understand something, that Pat is the primary  
10 point of contact for negotiating these  
11 projects. And as that primary point of  
12 contact, two things happen. Number one is,  
13 he may be under a nondisclosure agreement  
14 that prevents him from telling us who that  
15 prospect is, A. B is if he's working with a  
16 real estate company, that real estate company  
17 may be under the same limitation. It may be  
18 under a nondisclosure agreement.

19 So number three is this -- and I have  
20 seen this happen twice in the City's history.  
21 When the word gets out that we have a company  
22 that's looking at locating in North Canton,  
23 trust me, the host community will find out.  
24 And when that happens, we will have the  
25 mother of all cat fights.

1           So if you -- if you -- if you want to  
2 talk to Pat, you can get a sense of what's  
3 around the margins. All right? But you  
4 can't expect him to give you the specifics  
5 until he has them and he's -- he's free of  
6 the nondisclosure to present us with the  
7 opportunity.

8           And we came very close to losing Schroer,  
9 and we came darn close to losing Mars Control  
10 Products because the word got out. So I just  
11 say this as a caveat, this -- this venue is  
12 not the appropriate place to get an update on  
13 any project.

14           MS. WERREN: Yeah. Daryl, I would -- I  
15 would concur with that. And, you know, I  
16 talk to Pat. I call him on a weekly basis,  
17 basically, and Pat can attest to that. And I  
18 ask him what's going on. And I see the same  
19 thing happening in Canton. And I am at  
20 parties and different places where people  
21 say, hey, what's going on with that property.

22           Pat, I'm glad that in some situations I  
23 have no idea, because I don't want to be put  
24 in that situation. And they are not fishing  
25 for the betterment of North Canton. They are

1 fishing for the betterment of -- of other  
2 communities or what their goals or intentions  
3 are.

4 So this is not the forum to discuss that.  
5 And we all have a phone, and we can certainly  
6 pick it up and call you at any time. You are  
7 fabulous about getting back with each and  
8 every one of us. And we should know that as  
9 business professionals.

10 MR. CERRETA: I get that. And I know  
11 there are people that can't keep their mouth  
12 shut. But we are --

13 MS. WERREN: Yeah, you have been with  
14 that, Mark.

15 MR. CERRETA: We are the people that  
16 are -- budget the money. We hold the  
17 responsibility --

18 MS. WERREN: Then call him.

19 MR. CERRETA: -- for whatever happens --  
20 I'm not done, Steph. Hold on.

21 MS. WERREN: Okay.

22 MR. CERRETA: If -- if we go ahead -- if  
23 you want us to know about this, then you got  
24 to let us know about this if you want us to  
25 vote on it. So we need to know the

1 information. If we know nothing about it,  
2 then we are responsible for whatever happens,  
3 then shame on us. So we need to know --

4 MS. WERREN: You are right.

5 MR. CERRETA: -- whatever you know to  
6 move forward. We just can't say okay go  
7 ahead and do this. Because we hold the  
8 responsibility to the community to know this  
9 stuff. That's what we do. That's what we  
10 are -- we are representing them. So we need  
11 to know one way or the other. So whether I  
12 call you or you call me and you tell us about  
13 it, but I can't vote on something to approve  
14 it unless I know something about it.

15 MR. DEORIO: Well, you were -- this was  
16 disclosed to you back when we started the  
17 process of what properties we were going  
18 after for K-Mart. This is one of those.  
19 There is nothing that changed from that time.  
20 This is one --

21 MR. CERRETA: Really? There is nothing  
22 changed since then? Okay. So --

23 MR. DEORIO: And as it relates to this  
24 property, the overall strategy was to acquire  
25 all three parcels. That's what we are trying

1 to do.

2 MR. PETERS: Yeah, as it relates to the  
3 acquisition of the property, we have already  
4 gone through this. We are just going back to  
5 clean it up, on -- on both of these that  
6 we'll be voting on in the Special Council  
7 meeting later. I'm correct in that, correct,  
8 Pat?

9 MS. WERREN: Yes.

10 MR. DEORIO: That is correct.

11 MR. REVOLDT: Yes.

12 MR. DEORIO: There was an appropriation  
13 for this and there was authorization to go  
14 out and get financing for these parcels.

15 MR. REVOLDT: Borrow money.

16 MR. DEORIO: They were all identified at  
17 that time.

18 MR. PETERS: Yeah. Okay. That's what I  
19 thought.

20 MR. FONTE: Hey, Mark, Dom here. I think  
21 probably what you are --

22 MR. CERRETA: Okay. I know what you --

23 MR. FONTE: But I have to say it for the  
24 recording. What I was going to say is, like,  
25 you know, as a marketing person, you know,

1 my concern with any of the properties as we  
2 take them on in land banking is that, like  
3 what you are saying is, you don't want to get  
4 stuck with all these properties, and then we  
5 got problems. So like Patrick is probably  
6 working every lead.

7 And what I was talking to him about is  
8 like marketing, just I want to make sure, you  
9 know, it's getting out there, the worldwide  
10 web, all the people, so we have plenty of  
11 opportunities, that he's tracking down every  
12 lead, versus, you know, some of the things I  
13 know are private. We can't talk about them  
14 publicly yet for those reasons that they  
15 mentioned. But, yeah, let's just reach out  
16 to Pat privately or, you know, on his phone  
17 and see what we can figure out.

18 MR. PETERS: Okay. All right. So are we  
19 good?

20 MR. REVOLDT: We are good.

21 MR. PETERS: Okay. All right. And, Dom,  
22 that -- sorry, Stephanie, that concludes  
23 your --

24 MS. WERREN: That's it.

25 MR. PETERS: Yep, that concludes your

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committee. Okay.

MS. WERREN: Thank you.

MR. PETERS: All right. Thank you so much. And with that, that concludes the Committee of the Whole agenda. So I'll entertain a motion to adjourn.

MR. REVOLDT: Revoldt moves.

MR. CERRETA: Cerreta seconds.

MR. STROIA: Second, Stroia.

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

MR. FOLTZ: Aye.

MR. PETERS: Aye.

MR. CERRETA: Aye.

MR. REVOLDT: Aye.

MS. WERREN: Aye.

MR. FONTE: Aye.

MR. STROIA: Aye.

MR. PETERS: Opposed?

(No response.)

MR. PETERS: All right. Motion carries.

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(This proceeding concluded at 8:41 p.m.)  
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ATTEST:

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Daniel Jeff Peters  
Council President

*Benjamin R. Young*  
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Benjamin R. Young  
Council Clerk



