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CITY OF NORTH CANTON, OHIO
SPECIAL CITY COUNCIL MEETING

**TRANSCRIPT OF
MARCH 5, 2021, MEETING
VIRTUAL MEETING**

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Transcript of Proceedings of the North Canton City Council, taken by me, the undersigned, Laurie Maryl Jonas, a Registered Merit Reporter and Notary Public in and for the State of Ohio, at North Canton, Ohio, on Friday, March 5, 2021, at 12:00 p.m.

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APPEARANCES:

- Daniel Jeff Peters, Council President, Ward 2
- Daryl Revoldt, Council Vice President, At Large
- Stephanie Werren, Ward 3
- Dominic Fonte, Ward 4
- Mark R. Cerreta, At Large
- Matthew Stroia, At Large
- Patrick A. DeOrio, Director of Administration
- Catherine A. Farina, Deputy Director of
Administration and Development
- Jina Alaback, Director of Finance
- Wayne Boyer, Director of Law
- Stephan B. Wilder, Mayor
- Benjamin R. Young, Clerk

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1 MR. PETERS: All right, folks, at this time
2 I'd like to call to order the North Canton special
3 council meeting, March 5, 2021. The time is
4 12:01 p.m.

5 Mark, Dominic, would either one of you like
6 to lead us in prayer?

7 MR. CERRETA: I sure will.

8 Lord, I thank you for bringing us here today.
9 Thank you for giving us the honor and responsibility
10 to represent your people of North Canton. Give us
11 good ears and good eyes to see what you need us to
12 see and make good decisions for this community, now
13 and in the future. Help us all to be safe and
14 healthy as we moved forward.

15 In God's name, we pray. Amen.

16 MR. PETERS: Thank you, Mark. Amen.

17 All right. If you'll join me in the Pledge
18 of Allegiance.

19 (The Pledge of Allegiance was recited.)

20 MR. PETERS: Okay. At this time, Ben, would
21 you please call the roll.

22 MR. YOUNG: Member Peters.

23 MR. PETERS: Here.

24 MR. YOUNG: Member Fonte.

25 MR. FONTE: Here.

1 MR. YOUNG: Member Revoldt.

2 MR. REVOLDT: Here.

3 MR. YOUNG: Member Stroia. Member Stroia?

4 MR. PETERS: He's on mute.

5 MR. STROIA: Here. Sorry about that.

6 MR. YOUNG: Member Cerreta.

7 MR. CERRETA: Here.

8 MR. YOUNG: Member Werren.

9 MRS. WERREN: Here.

10 MR. YOUNG: And Member Foltz could not join
11 us. Six present.

12 MR. PETERS: All right. Motion to excuse
13 Member Foltz.

14 MR. REVOLDT: Revoldt moves.

15 MR. STROIA: Stroia seconds.

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

17 ("Aye" in unison.)

18 MR. PETERS: Opposed? All right. Motion
19 carries.

20 All right, Ben, do we have anyone speaking?

21 MR. YOUNG: We do not have anyone signed up
22 to speak.

23 MR. PETERS: Okay. All right. Well, we'll
24 move on to new business. This is in response to the
25 February 8, 2021, letter from Woda Cooper Development

1 and it's concerned the potential development of the
2 Waterside property. At this time I will turn the
3 floor over to our legal counsel, Mr. Wayne Boyer.
4 Wayne, the floor is yours.

5 MR. BOYER: Thank you, sir.

6 Yeah, we just wanted to go over some talking
7 points related to that letter.

8 So as you mentioned, this is for the property
9 in question over at 300 Waterside Drive in North
10 Canton. That property is subject to a development
11 agreement that was signed back in 2008 by and between
12 the current owner, Waterside Development Company of
13 Stark County, and North Canton, and that letter laid
14 out a situation, laid out basically that North Canton
15 agreed to invest \$275,000 of taxpayer money, as well
16 as a grant that they had received from the Ohio
17 Department of Development in the amount of \$350,000,
18 so a total of \$625,000 income towards the development
19 of infrastructure at the property. In return,
20 Waterside agreed to pay \$275,000 and agreed to create
21 120 jobs in relation to the development of that
22 property for commercial purposes. Half of those jobs
23 were to be of the, quote/unquote, high-tech variety.
24 Waterside had also agreed to market the development
25 of that property to achieve the commercial nature

1 that they had agreed to.

2 North Canton agreed to it for obvious
3 reasons. You know, they had a goal of developing,
4 redeveloping, revitalizing the Main Street commercial
5 corridor, and in furtherance of that agreement they
6 constructed what is now known as Waterside Drive,
7 which actually bisects the property that we're
8 discussing.

9 Recently on February 8, North Canton received
10 a letter from Woda Cooper Development which stated
11 that Woda and another developer by the name of ITN,
12 Incorporated, planned to develop not a commercial use
13 of that property but a residential rental complex on
14 that property via two three-story residential
15 buildings. In furtherance of that development, Woda
16 planned to use funding from the Ohio Housing Finance
17 Authority, we'll call them OHFA instead of repeating
18 that mouthful every time. And OHFA requested that
19 the city have comments and/or objections to that
20 letter within 30 days of receipt of it. The project,
21 as listed in the letter, said that they -- that Woda
22 intended to develop up to 60 housing units on the
23 property.

24 Importantly for North Canton's end, North
25 Canton has never received any sort of formal plan or

1 application related to that potential residential
2 development. And furthermore, the development in
3 that letter doesn't follow the original development
4 agreement in that there doesn't appear to be any sort
5 of jobs being created. There's no furtherance of the
6 commercial opportunities for North Canton or any sort
7 of development of the original planned technology and
8 research park.

9 So, in essence, the reason for being here is
10 to figure out what our response to this letter is
11 going to be from North Canton's perspective, and
12 there's two potential responses. You know, response
13 A is we draft a letter back to Woda that says, hey,
14 North Canton supports the project as presented and
15 allow it to move forward. In alternative, we would
16 draft a letter indicating that North Canton does not
17 support the project as presented, and the reasons for
18 that would generally be the fact that, you know,
19 outlining the original development agreement,
20 outlining North Canton's desire to hold true to the
21 terms of that development agreement so that the
22 public investment that had already been outlaid at
23 the outset would be realized through future
24 development of that property and that North Canton
25 continues to believe that the property, you know,

1 holds a great opportunity for commercial development
2 and job creation in the city as evidenced by the
3 development of the first portion of that property
4 which occurred recently in relation to the dentist
5 office that I believe construction was completed last
6 year on it.

7 So basically that's where we sit. We have a
8 chance, you know, to respond to it in either fashion
9 and we just want to go over and figure out what the
10 formal response is going to be.

11 MR. PETERS: So Ben or Daryl, this would be a
12 question for you as well. Legislatively speaking,
13 should we do a voice vote on whether we're going
14 to -- which letter we're going to send in response,
15 either for or against?

16 MR. YOUNG: So Krugliak has drafted two
17 resolutions for us. One is in support of the project
18 and one is in opposition of the project. Whichever
19 one we may choose to consider today, we would need to
20 first suspend the rules of council requiring a
21 committee to bring the resolution on to the docket
22 formally. That resolution will then be Resolution
23 No. 5-2021 and then we go through a normal emergency
24 legislation vote process.

25 MR. PETERS: Okay. Well, let me first do

1 that. May I have a motion and a second to suspend
2 the rules of council requiring a committee report as
3 relates to this.

4 MR. REVOLDT: Revoldt moves.

5 MR. CERRETA: Cerreta seconds.

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

7 ("Aye" in unison.)

8 MR. PETERS: Opposed? All right. Motion
9 carries.

10 So we suspended the rules. At this point,
11 Ben, do -- should I take a voice vote on whether the
12 letter is going to be in favor or opposition or --

13 MR. FONTE: Hey, President Peters. I was
14 just curious. So like from the city's standpoint,
15 this piece of property -- and I understand what has
16 happened and everything as far as the, you know, the
17 concessions and taxpayer contributions for what the
18 goal is, is to create, you know, the Main Street
19 corridor opportunities since we have limited
20 opportunities for commercial job creation and
21 whatnot. The highest and best use of this property,
22 do we know what that is? Is the highest and best use
23 rental or residential rental, commercial? I mean, it
24 seems like the goal is the city is looking to do
25 commercial development in general in our limited

1 space. So the highest and best use you're saying
2 still is, in the opinion, commercial; right? Or --

3 MR. PETERS: That would be my opinion. That
4 would be my opinion.

5 MR. FONTE: Does anybody else have a comment
6 on that? That's kind of what I'm thinking right now,
7 that you're saying the highest and best use is
8 commercial; correct?

9 MR. REVOLDT: Dominic, this is Daryl. I
10 would argue the same, that the highest and best use
11 is commercial and it's evidenced, as Attorney Boyer
12 has indicated, by the construction of a new dental
13 office on a portion of that property.

14 MR. FONTE: I see. So how long has this been
15 sitting there, roughly?

16 MR. REVOLDT: The road was dedicated, I
17 believe, in 2010.

18 MR. FONTE: Okay. All right. Got it. Thank
19 you.

20 MR. PETERS: Okay. So getting back to how I
21 do this, Ben, should we take a roll call vote in
22 favor or against, or voice vote? How do you want me
23 to do this?

24 MR. REVOLDT: Let me -- let me do this for
25 you. Let me make a motion that council send a letter

1 in opposition, send a letter of opposition to OHFA.

2 MR. BOYER: Hey, Daryl, real quick, if I may.
3 Just before we get into that, I just want to make
4 sure that there's not any further discussion from any
5 of the other council members on anything going on.

6 MR. REVOLDT: If there's no further
7 discussion. We can wait.

8 MR. PETERS: Okay. I see none, so we have a
9 motion to -- the response letter to be in opposition.
10 Is there a second?

11 MR. STROIA: Stroia seconds.

12 MR. PETERS: All right. Ben, do you want me
13 to call the role on this or voice?

14 MR. YOUNG: So we can do a voice vote unless
15 a council member would like to move to divide the
16 council, which would require a roll call vote.

17 MR. PETERS: Okay. Well, we'll start with a
18 voice vote. We have a second -- or a motion and a
19 second. All in favor, say "aye."

20 ("Aye" in unison.)

21 MR. PETERS: Opposed? All right. Passes
22 6-0. And right there you see it, Ben. Okay.

23 MR. YOUNG: Yes. So this is the resolution
24 that would lead to a letter in opposition.

25 MR. PETERS: Okay. That's clear on what

1 you're voting on here today.

2 MR. REVOLDT: Correct.

3 MR. PETERS: All right. Very good. That
4 concludes the agenda.

5 MR. YOUNG: Well, we would need to pass this
6 resolution.

7 MR. PETERS: Oh, okay. Here we go.

8 MR. REVOLDT: Okay. Let me --

9 MR. PETERS: Hold on one second.

10 MR. YOUNG: There needs to be a motion to
11 read either by title or in its entirety.

12 MR. PETERS: Yes.

13 MR. REVOLDT: Let me make the motion to read
14 by title only Resolution 5-21.

15 MR. STROIA: Stroia seconds.

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

17 ("Aye" in unison.)

18 MR. PETERS: Opposed? All right. Motion
19 carries.

20 Ben.

21 MR. YOUNG: A resolution joining, affirming,
22 adopting and ratifying the City's response to the
23 February 8, 2021, from letter from Woda Cooper
24 Development, Incorporated, concerning the proposed
25 development of property located at 300 Waterside

1 Drive, Southeast, North Canton, Ohio 44720, and
2 declaring the same to be an emergency. Sorry, I
3 forgot that in the title there. So we do have an
4 emergency clause in it. I just forgot that phrase.

5 MR. PETERS: Okay. Seeing that there's no
6 further comment and we've already suspended the rules
7 requiring a committee report, I just need a motion
8 and a second to adopt Resolution 5-21 under
9 emergency.

10 MR. REVOLDT: Revoldt moves.

11 MRS. WERREN: Werren seconds.

12 MR. YOUNG: We need to adopt the first
13 reading and then suspend the rules requiring three
14 readings and then adopt on an emergency.

15 MR. PETERS: Okay.

16 MR. REVOLDT: We'll catch it.

17 MR. PETERS: We need a motion and a second to
18 adopt the first reading of Resolution 5-21.

19 MR. REVOLDT: Revolt has moved.

20 MRS. WERREN: Werren, second.

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

22 ("Aye" in unison.)

23 MR. PETERS: Opposed? All right. Motion
24 carries.

25 And may I have a motion and a second to

1 suspend the rules of council requiring three
2 readings.

3 MR. REVOLDT: Revoldt moves.

4 MRS. WERREN: Werren, second.

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

6 ("Aye" in unison.)

7 MR. PETERS: Opposed? All right. Motion
8 carries.

9 And finally, a motion and a second to adopt
10 under suspension of the rules.

11 MR. REVOLDT: Revoldt moves.

12 MRS. WERREN: Werren, second.

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

14 ("Aye" in unison.)

15 MR. PETERS: Opposed? All right. Motion
16 carries.

17 And, Ben, that should do it. That concludes
18 our agenda. I'll entertain a motion to adjourn.

19 MRS. WERREN: So moved, Werren.

20 MR. REVOLDT: Revoldt seconds.

21 MRS. WERREN: Got you, Daryl.

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

23 ("Aye" in unison.)

24 MR. PETERS: Opposed? All right. Motion
25 carries. We are adjourned. Thank you, everyone.

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(Meeting adjourned at 12:16 p.m.)

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Attest:

Benjamin R. Young
Benjamin R. Young
Clerk of Council

Daniel Jeff Peters
City Council President

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C E R T I F I C A T E

STATE OF OHIO)
)SS
STARK COUNTY)

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

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

I further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in the event of this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, on this 14th day of March, 2021.

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