

CITY OF NORTH CANTON, OHIO
COMMITTEE OF THE WHOLE MEETING

**TRANSCRIPT OF
AUGUST 31, 2020, MEETING
VIRTUAL MEETING**

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 Monday, August 31, 2020, at 7:00 p.m.

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APPEARANCES:

- Daniel Jeff Peters, Council President, Ward 2
- Daryl Revoldt, Council Vice President, At Large
- Doug Foltz, Ward 1
- Stephanie Werren, Ward 3
- Dominic Fonte, Ward 4
- Mark R. Cerreta, At Large
- Matthew Stroia, At Large
- Patrick A. DeOrio, Director of Administration
- Jina Alaback, Director of Finance
- Robert G. Graham, Engineering Services
- Catherine A. Farina, Deputy Director of
Administration and Development
- Martin Van Gundy IV, Chief Building Officer
- Stephan B. Wilder, Mayor
- Benjamin R. Young, Council Clerk

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1 MR. PETERS: All right. At this time, I'd
2 like to call to order the North Canton City Council
3 committee of the whole meeting August 31, 2020,
4 7 p.m.

5 Ben, will you please call the roll.

6 MR. YOUNG: Member Foltz?

7 MR. FOLTZ: Here.

8 MR. YOUNG: President Peters?

9 MR. PETERS: Here.

10 MR. YOUNG: Member Werren?

11 MRS. WERREN: Here.

12 MR. YOUNG: Member Fonte?

13 MR. FONTE: Here.

14 MR. YOUNG: Member Revoldt?

15 MR. REVOLDT: Here.

16 MR. YOUNG: Member Cerreta?

17 MR. CERRETA: Here.

18 MR. YOUNG: Member Stroia?

19 MR. STROIA: Here.

20 MR. YOUNG: Seven present.

21 MR. PETERS: All right. Very good.

22 All right. First up on the agenda, Community
23 and Economic Development. Chairman Revoldt.

24 MR. REVOLDT: Thank you very much,
25 Mr. President.

1 We've got three items tonight. In the
2 interests of brevity, the first two deal with
3 technical corrections to make our process more -- to
4 proceed more smoothly. If you would look at our
5 present zoning ordinance -- and the clerk and Marty
6 will probably jump in here -- but we have merged both
7 the process for dealing with our -- our regulations,
8 which we call text, and then where it's applied,
9 specifically we do that through the map. So what
10 we're going to do tonight -- propose tonight is that
11 we split these two into their own separate chapters.
12 We're going to keep 1181 to deal with the text actual
13 amendments and then we're proposing, in Item B,
14 creating a brand-new chapter, 1182, which deals with
15 the amendments to the zoning map. And again,
16 amendments to the zoning map would be those
17 amendments where we go from a Residential 50 to an
18 OB, or we go from OB to a park and rec or something
19 like that.

20 So if you have in your packets, if you look
21 at 1181.03, this is a new piece that fits into some
22 of our existing legislation and it talks about how
23 we're going to fix what we've got, what we call a
24 loop, where we had an inadvertent step involving the
25 planning commission.

1 How am I doing, Ben? Am I doing okay so far?

2 MR. YOUNG: Yeah.

3 MR. REVOLDT: And so what we've got here on
4 1181.04 Submission Process, we've got three points
5 where we move through the process and this fixes that
6 loop, that extra step that we discovered the last
7 time we were -- we were tinkering with the actual
8 process.

9 Ben, what do you want to add to this?

10 MR. YOUNG: Yeah. As Chairman Revoldt said,
11 when we amended this earlier this year through
12 Ordinance 34-20, we gave the planning commission the
13 authority to initiate amendments. And in doing so,
14 we inadvertently created a loop where even if they
15 started the process, we had to send it back to them
16 even though they had already given their
17 recommendation. So to fix that, we realized that
18 having the two combined into one chapter was a little
19 confusing, and so, for the sake of clarity, we
20 decided to separate them.

21 MR. REVOLDT: Yes. Now, in this, if you go
22 to page 3 of the proposed 1181 amendment, we have a
23 brand-new section that has been drafted. This is
24 1181.08. And basically what I want to bring your
25 attention to is Section B. Or Part B of that

1 section. And it's going to work in this way: If the
2 planning commission sends us a recommendation -- here
3 he's got the chart. Ben did a chart for us. But
4 basically what we want to do is, if the planning
5 commission sends us a recommendation and we don't
6 accept it, we don't reject it but we slightly modify
7 it, we want to send it back to the planning
8 commission just to make sure that it's -- it agrees
9 with what we want to do. It's not going to have any
10 veto, obviously the authority still rests with
11 council, but what we thought is we would give the
12 planning commission a second look. And we think
13 that's probably a good step, just to make sure that
14 as we look at an issue, if there's something that we
15 missed in the discussion, the planning commission
16 can -- may have considered it, they can bring it up
17 to our attention.

18 So, Ben, Marty, does that pretty well cover
19 it?

20 MR. VAN GUNDY: It does, yes. And
21 essentially --

22 MR. REVOLDT: Go ahead, Marty.

23 MR. VAN GUNDY: Sorry about that.

24 Yes. This does put us in line with the
25 planning commission actions as well as city council.

1 It also allows for a member of the public to make
2 application and have the planning commission review
3 that action and prepare a recommendation for city
4 council's final approval and review.

5 MR. REVOLDT: Okay. Are there any -- are
6 there any questions or comments at this time?

7 MR. FONTE: Daryl, it's Dominic.

8 MR. REVOLDT: Yes.

9 MR. FONTE: So separating the text from the
10 map, is that just for the ease of finding it
11 electronically or just --

12 MR. REVOLDT: No. This is actually -- there
13 was -- you could say, Dominic, it's to make it easier
14 to read and understand.

15 MR. FONTE: Okay.

16 MR. REVOLDT: It's pretty much of a Mulligan
17 stew right now. It isn't very clear. We wanted to
18 pull these out so there was no misunderstanding about
19 how we handled -- and I'll give a perfect example.

20 If you look at this on amendments to the
21 zoning ordinances, we don't have any requirement, nor
22 should there be if we contact property owners
23 because, again, we're just creating something in the
24 zoning ordinance. This is between the public, the
25 planning commission, and the council. We're not

1 impacting any properties directly. We're not
2 rezoning anything. So this deals with just how we
3 amend the zoning ordinance to create a new use or
4 disallow a use.

5 MR. FONTE: Okay.

6 MR. REVOLDT: Fair enough?

7 MR. FONTE: Yeah.

8 MR. REVOLDT: Okay. If we can then, what I'd
9 like to do is put this on for a first reading only
10 for next week if the committee is agreeable.
11 Mr. President?

12 MR. PETERS: Yeah. I'll ask a question.
13 Ben, can we track this on AirTable or Granicus?

14 MR. YOUNG: Yes. So it's already linked to
15 the council's existing legislative processes so it
16 will be tracked on AirTable, and once Granicus is
17 fully implemented, on Granicus as well.

18 MR. FONTE: Ben, could you explain what that
19 means, briefly, for the people that are listening and
20 don't understand what you just described?

21 MR. YOUNG: So for members of the public,
22 AirTable and Granicus are two pieces of software that
23 the office of council uses on the back end to track
24 pieces of legislation as they go through all 15 steps
25 of the legislative process in order to make sure that

1 they followed the proper procedure.

2 MR. FONTE: Thank you.

3 MR. REVOLDT: Okay. I would assume that
4 we've got four votes to stick this on the agenda for
5 a first reading at our next meeting.

6 MR. PETERS: Yeah.

7 MR. FOLTZ: Yes.

8 MR. REVOLDT: Okay. If there are no
9 objections, then we'll go.

10 Let's move on then to Item B. Per Dom's
11 question, this is how we will amend the zoning map.
12 This is the actual application of the text to a
13 particular parcel. And we've got some new sections
14 here. This is entirely new. This is an entirely new
15 piece of language that's drawn from what we had
16 before. And you'll notice that in 1181.03 we talked
17 about the amendment application process. And if you
18 jump over to 1182.07, we're going to follow the same
19 procedure, but if we amend something we will send
20 this back to the -- we'll send it back to the
21 planning commission so it gets one final consult
22 before we take action.

23 As I discussed with Ben, here's a
24 potential -- here's a potential scenario. Let's
25 assume we've got five lots that are zoned R70. We

1 want -- the applicant comes in and says, Hey, I want
2 all these zoned OB.

3 MR. FONTE: Would you say what OB is? Say
4 OB. Like when you say the codes, let people know
5 what they are.

6 MR. REVOLDT: Office building.

7 So the planning commission says fine. They
8 kick it up to us, we look at it after public hearings
9 and what have you and say, Listen, we can give you
10 three of the lots office building but we want to keep
11 the other two residential. So that would be our
12 position. Before we can act, we would send that back
13 to the planning commission just to make sure it's
14 comfortable with that decision or if there was some
15 other fact that we had -- hadn't considered. Again,
16 it's just an extra step to make sure that we're
17 responsive and being transparent.

18 MR. FONTE: Hey, Daryl. Does this account
19 for just when council or administration want to bring
20 these forward, or if the public decides they want to
21 bring something forward with one of their parcels, is
22 the procedure exactly the same for the public?

23 MR. REVOLDT: It's all the same.

24 MR. FONTE: Okay. Fair enough.

25 MR. REVOLDT: It's going to move through,

1 Dominic, it's going to move through a standardized
2 public process. Application, discussion, planning
3 commission, then come to us.

4 MR. FONTE: Thank you.

5 MR. REVOLDT: And again, to go back to that,
6 that planning commission body, for one final look
7 before we make a decision. Okay?

8 MR. PETERS: All right.

9 MR. REVOLDT: Okay. So if there are no
10 objections, we'll put this on for a first reading for
11 next Monday.

12 Now, Item 3, and I will tell you I think this
13 is the first time in 20 years I've ever seen a memo
14 from a mayor asking for legislation for the planning
15 commission. You'll notice in your packets the mayor
16 has requested a number of amendments to our zoning
17 ordinance to permit outdoor -- expanded outdoor
18 dining. You'll notice in your -- in his memo to us
19 it contains a number of the changes he's seeking.
20 All of which will encourage outdoor dining here in
21 the city.

22 Mayor, do you want to add something at this
23 point?

24 MAYOR WILDER: Yes, thank you, Daryl and
25 council and the general public.

1 In conversations with our city administration
2 and other citizens in our community, and I just
3 thought from what I've seen and I've read about the
4 other communities that are offering outdoor dining
5 now to help food establishments and restaurants being
6 able to expand their operations. And I felt that, is
7 that something that we can do for our people here,
8 for our businesses. What opportunities can we have?
9 And I tried to outline some bullet points there for
10 us, again, that they can expand their operations.
11 Their seating would be more useful and properly
12 maintained and used and planned with what they have
13 to offer. And it allows them to do something more on
14 their property. And I just thought that this would
15 be an avenue that, if council would be considering
16 this, that I think it's another way that we can help
17 improve their economic --

18 MR. PETERS: Returns.

19 MAYOR WILDER: We're in this COVID-19 --

20 MR. REVOLDT: Pardon?

21 MAYOR WILDER: We're in this COVID-19 and can
22 we help them with their food establishments. So I
23 just outlined some things there. All knowing,
24 though, that they're going to comply with the social
25 and physical recommendations and distancing from the

1 health department, the CDC, and our Stark County
2 Health Department, but I just think it would be a
3 great advantage for our establishments to have this
4 opportunity to have some outdoor dining.

5 MR. REVOLDT: I think one of the things, and
6 this is kind of consistent with what we're trying to
7 do here, is we're trying to be more business
8 friendly. And part of this request is to remove the
9 requirement for a conditional use for outdoor dining.
10 Just let the guys go out and set something up as long
11 as it, you know, it meets health code, et cetera, it
12 doesn't violate any safety regulations. You know, we
13 could have people who have outdoor dining that might
14 be able to run, you know, into October or November.
15 It might be possible. So we think this is a great
16 way -- or I think it's a great way to sort of boost
17 our local -- our local food reputation. And more
18 importantly is, as we begin to work on this Main
19 Street activity, we've got the ability to offer to
20 prospective restaurants expanded outdoor dining.

21 Let me give you an example. We've got a
22 restaurant up on North Main that's for sale. It's a
23 large lot. It would be ideal for an expanded outdoor
24 dining site. And that's the kind of thing I think we
25 want to encourage. We may be able to get a

1 higher-end restaurant in one of these locations
2 because, again, they can go from whatever current
3 COVID is, 40 percent, they can grow that business
4 outside.

5 MR. CERRETA: What are our restrictions now?

6 MR. REVOLDT: Well, you've got to take it
7 through planning commission basically.

8 MR. DEORIO: Daryl, there's a limitation of
9 outdoor dining is restricted to 25 percent of the
10 indoor capacity.

11 MR. REVOLDT: That's right. Thank you. Yes.

12 MR. DEORIO: So as opposed to being able to
13 accommodate whatever their parcel will allow. So,
14 you know, places like -- places that don't have --
15 that serve food but don't have any indoor seating
16 capacity.

17 MR. FONTE: You mean outdoor.

18 MR. DEORIO: No. I'm saying any place that
19 has no seating capacity should therefore have no
20 outdoor seating capacity under the current
21 requirements.

22 MR. FONTE: Oh, okay.

23 MR. DEORIO: And then, you know, others may
24 have a smaller footprint inside but they have the
25 capacity outside to hold more clients. And I think

1 to Daryl's point, what he's referring to is that
2 there are other regulatory agencies that come into
3 play regarding the outdoor dining. You mentioned the
4 Stark County Health Department and the mayor
5 mentioned the CDC and the State of Ohio Health
6 Department, but also our local fire department has
7 regulations concerning the safety of this.

8 MR. CERRETA: Right.

9 MR. DEORIO: And then the building code of
10 Ohio or local building code regarding the safety and
11 the construction of, you know, outdoor dining sites.
12 So all those things come into play regardless of, you
13 know, what the planning commission would do. I mean,
14 the planning commission could approve that, but if
15 all of those other entities say no, then in effect
16 it's no. So I think what we're looking for is -- the
17 mayor's looking for is to provide some certainty to
18 businesses that, hey, this is a permitted use, and as
19 long as you meet with and craft your response to the
20 local codes that govern it, you should be able to
21 move forward without having to go to the -- to the
22 planning commission for that.

23 MR. FONTE: And this is Dominic.

24 I also think what's going along with the Main
25 Street theme, this is really what people are looking

1 for. So we want to have fast and flexible options
2 like this.

3 MR. REVOLDT: Again, I come -- this is Daryl.

4 I come back to this whole notion is we want
5 our businesses to be economically healthy. And if a
6 business has a relatively small physical footprint on
7 a lot or in a location but it has the ability to
8 expand, it can significantly increase its volume of
9 restaurant traffic by going outdoors. And let's give
10 it a try.

11 So what we need tonight is we just need
12 council's sense to send this to the planning
13 commission for its consideration, to have it make a
14 recommendation and come back to us then for the
15 ultimate determination. I'm told by my esteemed
16 clerk -- first of all, is there any other discussion
17 on this matter?

18 MR. STROIA: This is Stroia.

19 Is there a way to expedite this?

20 MR. REVOLDT: No. No. We've got to make
21 some changes to the text.

22 MR. STROIA: Okay.

23 MR. REVOLDT: To go through the process.

24 MR. STROIA: Okay.

25 MAYOR WILDER: I just think all the questions

1 Dom and Mark and Matthew, excellent, right on, and I
2 appreciate that this can go forward for us and help
3 our community. So thank you.

4 MR. FONTE: Absolutely, Mayor.

5 MR. REVOLDT: Here's what I'd like to do real
6 quick then is, because we're going to send this over
7 by -- esteemed clerk has suggested we do just a quick
8 voice vote. I'll make a motion that we send this to
9 the planning commission. If I can get a second and
10 clerk --

11 MR. FOLTZ: Foltz seconds.

12 MRS. WERREN: Yeah, Werren second.

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

14 ("Aye" in unison.)

15 MR. PETERS: Opposed? Motion carries.

16 MR. REVOLDT: Hey, Mayor. It's done. And
17 I'm done. As promised.

18 MRS. WERREN: Good job, Daryl, and thanks,
19 Mayor, for bringing that. I think that's just a
20 great piece.

21 MR. REVOLDT: You know, just as an aside, you
22 take a little restaurant like BOGO down on South Main
23 Street, one of my favorite carryout places, he's got
24 room out there for tables.

25 MRS. WERREN: That whole square does.

1 MR. FONTE: You got all kind of places. Mama
2 Guzzardi. Go up and down the whole area.

3 MR. REVOLDT: Yeah. It's really exciting to
4 think about it. So okay. We're done. Thank you.

5 MR. PETERS: All right. Thank you, Daryl. .

6 Okay. Next up, Finance and Property.

7 Chairwoman Werren. You're up.

8 MRS. WERREN: Are we good?

9 MR. PETERS: Yeah. Okay. Yeah.

10 MRS. WERREN: Okay. We're going to have to
11 amend the agenda because we do need to talk about the
12 CARES Act.

13 But the first thing we want to talk about is
14 looking at how we're going to handle our law
15 department. And I had a great conversation with Pat
16 last week, and the mayor, had a conversation with
17 Jeff, and I know Jeff has had conversations with
18 people, and I think the hard part is, you know, we've
19 been in this position where it falls under council,
20 but since we are all, you know, very part-time it's
21 hard to know what the mayor and what the director of
22 operations needs. And so we had some really very
23 honest and real conversations about that. And it's
24 helped to kind -- it's helped really to say what
25 direction we want to take in that. Which I think was

1 really important, and it shows the collaboration and
2 the working together and how both of us need to have
3 trust in that system and know how it works.

4 And I think one of the things we've done in
5 the past, and Patrick has done this and he's seen
6 this, is attorneys today, they're not all things to
7 all people. Attorneys are very specialized. So if
8 you get a divorce, you need a divorce attorney. If
9 you want real estate, if you want trusts, they're all
10 different people. And we have found with our many
11 different city needs that we need all those different
12 people to really give us the expertise that we need
13 to make the best decisions for the city.

14 So in that regard, Patrick, I'll let you -- I
15 don't want to overstep anything that you want to talk
16 about, but we've thought about it a couple different
17 ways we want to maybe go and I think a number of us
18 have kind of honed in on one way. So, Patrick, is
19 that a good enough introduction? And I just don't
20 want to steal any of your thunder or what you're
21 thinking.

22 MR. DEORIO: Oh, no. Please, you can steal
23 all the thunder that you like.

24 I do think that's a great introduction to it,
25 and having been around here and seen a number of

1 different ways that this has been handled and then
2 now having had the benefit of serving you as the
3 director of administration and understanding what we
4 really need, I think the -- the approach that I'm
5 interested in and in the administration is making
6 sure that we have a team that can present, you know,
7 a deep bench and that has the breadth of experience
8 in a number of different scenarios.

9 And I think, you know, given that, you know,
10 we're, by nature of that, looking at a firm that
11 would provide these -- these types of services. And
12 even in that, even though a firm may cover, you know,
13 ten of a dozen different specialized needs, there
14 could still be a further specialized firm that
15 handles a very niche thing that we find ourselves in.
16 Just theoretically. But by and large, I think a firm
17 provides us with the depth and the breadth that we
18 need to handle the specialization, and we do use
19 specialized legal services a lot. And, you know, a
20 long time ago when, you know, a generalist was
21 really, you know, the forefront of what you need, the
22 times were a lot simpler then and the types of
23 legislation that we were doing and things that we
24 were getting into weren't as sophisticated as they
25 are today.

1 So if we were looking at it from that
2 standpoint of a firm, to me then it looks like much
3 of what we do already with other service contracts,
4 this would be a service contract to provide legal
5 services. And like all of our other contracts, it
6 would fall into an administrative process that we go
7 through. And I don't know that everybody knows this,
8 but one of the processes that we introduced when I
9 became the administrator was all service contracts go
10 through a quarterly performance review. Where we
11 invite the service provider in, we have frank
12 discussions about how good it is or how bad it is.
13 And they get to offer their insight as to what they
14 like or don't like about the city and we come to an
15 understanding of what we need to do over the next
16 three months to get us to the next quarterly review
17 and keep us on track. So that doesn't matter whether
18 that's insurance, it doesn't matter if it's window
19 cleaning, floor cleaning, IT services. Whatever the
20 service agreement is for, it gets this in-depth
21 quarterly review.

22 I like that in this particular case with
23 legal services. We treat it like we would any other
24 service contract. As far as implementing that
25 service contract, talking, collaborating with the

1 finance department on their experience in that,
2 another benefit that a contract gives us is that if
3 we were to obtain these services and, in essence, buy
4 a bank of hours at a discounted rate from a -- from a
5 firm, and it allows us to spread those hours out to
6 each department based on their analysis from their
7 superintendents of how much legal service work they
8 need generally on an annualized basis.

9 Now, we did the similar approach with the
10 bank of hours when we went out and searched for our
11 IT team. If you recall, if you were here, we engaged
12 a firm in Cleveland that was not going to be the IT
13 provider but was going to be the firm that helped us
14 find the IT provider and qualify them and I think
15 that's been a large success. But we bought a bank of
16 hours from that firm that we could use on various
17 steps along that way and that seemed to work well.
18 Jina was reminiscing on some of her experiences with
19 that; that was a common history that we had had.

20 So we could then put in every department's
21 budget, when you see your budget for 2021 if we were
22 to go this approach, just as you see the line item
23 for IT services and telecommunication services and
24 the whole thing, there would be another line in there
25 for legal services. Not all departments need access

1 to legal services equally. You know, there are very
2 few instances, if any, in the street department where
3 they need access to legal service. But perhaps other
4 departments, you know, particularly nuisance
5 department needs a lot of legal service and we need a
6 lot of it, like, now. So we might load their
7 hours -- their hours might be loaded up a little
8 higher to kind of get things up and running. But
9 just like our contract with -- with AtNet for IT, you
10 know, it started out very heavy lifting that
11 gradually, as we put processes in place, it made it
12 more efficient. And I think that's what we would be
13 looking for here from a -- from a firm provider is
14 recommendations on then how to make the process more
15 efficient so that it's easier to administer as we go
16 along.

17 That line item per se also puts it into a
18 budgetary oversight so that, whether it's city
19 council or the administration or the finance
20 department that may be looking at those spreadsheets
21 that are printed out that shows each month how much
22 of a budget has been expended, we can monitor that
23 and say, wow, jeez, you know, you budgeted for this
24 many hours of legal service and it seems that you
25 have blown through your -- or you're blowing through

1 your budget at a faster pace than anticipated so
2 what's going on.

3 So it provides multiple levels of -- of
4 financial oversight to make sure that we're not
5 frivolously wasting and that we're getting our
6 money's worth. And each hour of service provided
7 would generate a -- eventually generate an invoice to
8 again further oversight to administration and finance
9 as to what is going on. So if there was something
10 simple and we thought, wow, I wonder why this took,
11 you know, two hours to do, it should look like it
12 only should have been a 30-minute job, it involves a
13 discussion. What happened here? What's going on?
14 And unless there's some sort of explanation as to
15 something that popped up that warranted a deeper
16 dive, you know, we would challenge that invoice.

17 The police department, as an example of this,
18 would be a good one to illustrate. So generally I
19 would say, from our discussions, the police
20 department, you know, doesn't use a lot of hours of
21 law services on a monthly basis. But where an
22 aberration would occur would be, say, take, like, for
23 instance, the incident that occurred with the Black
24 Lives Matter rallies in the city where someone
25 decided to try to drive through the crowd of -- crowd

1 of people in the street and an incident resulted and
2 there was a lot of video captured. Periodically that
3 video has been requested by news organizations for
4 release of that. Well, we would want to, you know,
5 have that reviewed for confidentiality prior to that
6 to make sure that we're not doing something that we
7 shouldn't be. That would be an example where you
8 couldn't budget for something like that. It just
9 pops up and you wonder why somebody may have used up
10 an overabundance of their legal service budget
11 because of an incident like that.

12 So on an interim basis, the administration
13 would like to approach a firm and talk about this and
14 see if we can structure something in agreement of
15 that and allow the mayor and the administrator to go
16 out, you know, for under \$50,000 and structure
17 something on an interim basis to try it and see what
18 the feedback is and how it works. That's my
19 overview. And, Mayor, if you would like to jump in
20 there from your observations, that would be welcome
21 as well.

22 MAYOR WILDER: Thank you. No, I appreciate
23 your presentation.

24 I think the opportunity to examine the
25 potential law firm, it would be a temporary process

1 for now but it could also be something that could
2 expand, let's say, into six months, which would allow
3 council to have an opportunity to be a part of the
4 review process and see how this is working for us.
5 So I think it's a good way to go in providing legal
6 services for us.

7 MRS. WERREN: Are there other questions?

8 MR. FOLTZ: Steph, or Jeff -- President
9 Peters, how do we envision the meeting right now as
10 far as a legal presence at the meetings?

11 MRS. WERREN: Yeah, it's funny you said that
12 because Jeff asked and I asked and we both kind of
13 weren't on the same page and then came around to the
14 first one. Really thinking --

15 MR. FOLTZ: Yeah, I'm sorry. Discussion has
16 been broken up. This is Foltz asking the question.

17 MR. DEORIO: Doug, I'm not sure what -- maybe
18 Stephanie's having some technical difficulties. Can
19 you hear me, sir?

20 MR. FOLTZ: Yeah.

21 MR. DEORIO: Yeah. One of the things I think
22 in those discussions that Stephanie had with the
23 mayor and that Jeff had with the mayor in talking
24 about that has given us an opportunity to, you know,
25 kind of to define the role for the -- for the, you

1 know, the 21st century and where is it that you truly
2 need legal service advice at? Is it during the
3 committee meetings when the legislation is being
4 talked about and what you're wanting and if you want
5 someone to find if it sounds like there's something
6 negative going on.

7 MR. FOLTZ: Okay.

8 MR. DEORIO: But if you are looking at it at
9 the regular meeting where you're pretty much just
10 reading ordinances and motion seconds, and there's
11 really not a lot of value there, you know, from what
12 I can see. So I think that that was the thought
13 process was -- was using the legal services where
14 they're needed the most. And, you know, maybe some
15 of your agendas it can go from week to week. I mean,
16 you might say, well, we have one thing on the agenda,
17 it's not really that big of a deal, doesn't really
18 require anything, there's no reason to have them
19 there and expend the service.

20 MR. FOLTZ: Right.

21 MRS. WERREN: I think -- and sorry, I don't
22 know what was going on with my phone.

23 I think that initially I thought the same --
24 we were on different pages, and I thought, well, we
25 need them there. But I think, too, with kind of the

1 different roles that everybody's playing, and that
2 includes the clerk, I think he's going to be taking
3 even a greater role there, we obviously don't need
4 the attorney to read the legislation and before that
5 the clerk had read it always, and so I think we need
6 to continue with some of those. But, Patrick, you
7 had also said that we could even maybe have them like
8 on hold for the evening. If something came up, we
9 were able to call them during the meeting. Is that
10 correct?

11 MR. DEORIO: That would --

12 MRS. WERREN: Or maybe not.

13 MR. DEORIO: -- that would be negotiated. I
14 would probably say not.

15 MRS. WERREN: We would pay them. Yeah.

16 MR. DEORIO: We would pay them. Right. So
17 you might as well, if you think you're going to have
18 to have them, you might as well have them there.

19 MRS. WERREN: I thought you had maybe said at
20 one point you called them, or maybe it was during a
21 zoning meeting or planning commission meeting to say
22 they were on hold. Did we talk about that?

23 MR. DEORIO: Well, I think related to that
24 but not exactly that, but what we had talked about
25 but let's say we were going through the, you know,

1 the regular order of business. There's a committee
2 meeting followed by three regular meetings in which
3 legislation is read, that perhaps not all the
4 questions that could have been thought of during
5 committee were asked during committee.

6 MRS. WERREN: Right.

7 MR. DEORIO: Maybe at that first reading a
8 question comes up and so -- you weren't anticipating
9 the need for legal service, then a question comes up
10 and there's a thought maybe we ought to pause until
11 we get clarification on that.

12 MRS. WERREN: Right.

13 MR. DEORIO: Then you just bring it up the
14 next meeting.

15 MR. FOLTZ: Okay. All right. So you're
16 saying, yeah, if there's a question, just get the
17 answer from a law firm if we go that route.

18 MRS. WERREN: And hold on.

19 MR. FOLTZ: And then that would be brought up
20 at second reading or the next commission -- or, I
21 mean, committee meeting. So we have two
22 opportunities to weigh in. Okay.

23 MR. DEORIO: That's right. You could refer
24 it back to committee, then hit it the next committee
25 meeting and then refer it out, you know, or you could

1 just schedule a special regular meeting following the
2 committee meeting to deal with that one item.

3 MR. FOLTZ: Yeah. All right.

4 MR. PETERS: Pat, to your point, I think what
5 it's important to note is that for the committee
6 meeting, you know, you can have your attorney sitting
7 there but we could have someone review that agenda on
8 a Friday. So they could look at the agenda and let
9 our clerk know, hey, you may have something here, you
10 may have a question here.

11 MR. DEORIO: That's exactly right.

12 MRS. WERREN: Because would it be mandatory
13 that he come? Or he or she.

14 MR. PETERS: Not at all.

15 MRS. WERREN: Right? So that -- that would
16 be -- okay. That's great.

17 MR. PETERS: I think we get more bang for our
18 buck on that one. I agree with Patrick and the
19 mayor, not only are lawyers more specialized, we
20 could be more specialized in how we utilize that
21 service. So --

22 MRS. WERREN: Well, and when we know that
23 they have a bank of hours, we will be timely and we
24 will be thoughtful in our conversations and really
25 pointed. Because they bill on the quarter hour.

1 MR. PETERS: It holds to a budget, and I like
2 that.

3 MRS. WERREN: So, Mayor, no extra talking.

4 MAYOR WILDER: I got my cue from Dominic.
5 Thank you.

6 MRS. WERREN: Right. Right. Exactly.

7 MR. REVOLDT: Steph, this is Daryl. Can I --
8 just a quick -- two quick points.

9 First of all is, about 85 percent of what we
10 do is routine. It's not controversial, it's not
11 complicated, it's just bread and butter government.
12 You don't need a lawyer for it. You really don't.

13 The second is for that 15 percent, remember
14 what we want that attorney to do is help draft and
15 review the legislation before it comes to us, to
16 anticipate any problems. And, our practice has been,
17 and you've already really touched on it, is that if
18 we have a technical issue, we have not hesitated in
19 the past to give it a first reading, don't adopt on
20 emergency, send it back to committee. We operate in
21 that fashion now, so I don't -- wouldn't see us
22 operating with any less care than we do now.

23 MRS. WERREN: Yeah.

24 MR. FOLTZ: Agreed.

25 MR. PETERS: And, you know, if we come upon

1 an issue that has an emergency clause in it and we
2 have to pause, we've proved in the past we can be
3 very responsive with a special meeting.

4 MRS. WERREN: Yes. Good point, Jeff.

5 MR. PETERS: We can respond in kind, there's
6 no doubt.

7 MR. REVOLDT: I hate to say this, but we've
8 also done one other thing, too, is that we've
9 acknowledged that occasionally we make a mistake and
10 we're not afraid to say, hey, we goofed, we're going
11 to have a technical correction here. And I think as
12 long as we approach it with that, this system that
13 Pat has outlined will work very well for us.

14 MR. PETERS: Agreed.

15 MRS. WERREN: Yeah. I just appreciate the
16 fact we could both talk and say what all our needs,
17 what's best for the city, and then come together on
18 this decision that works best for all of us.

19 MR. REVOLDT: Yeah. Let me add one more
20 point, and that is this: Is that, you know, there
21 are people who're going to read the charter and
22 they're going to say, well, what does this mean? It
23 doesn't mean that we have changed the meaning of the
24 charter and that the council -- the mayor can
25 contract it, but at the end of the day the council

1 rules the budget.

2 MRS. WERREN: Right.

3 MR. REVOLDT: So we, the council, has
4 preserved its prerogatives under this approach.

5 MRS. WERREN: Yes. Thank you for pointing
6 that out.

7 MR. DEORIO: And to that point regarding the
8 charter, you know, the provision in the charter is
9 that, you know, council shall appoint an attorney in
10 good standing as the director of law. And so this
11 approach has been done in the past. We can go back
12 20 years and Tom Treadon was an assistant law
13 director and he worked for Roetzel & Andress.

14 MR. REVOLDT: Roetzel.

15 MR. DEORIO: In Akron. Provided, you know,
16 the depth and the breadth. So, you know, whatever
17 firm that we contract with, someone would have to,
18 you know, be designated as the law director and, you
19 know, and various assistant law directors as needed.
20 It doesn't increase the cost. It's a contracted
21 service.

22 MRS. WERREN: Yeah.

23 MR. DEORIO: So we would just appoint someone
24 to fill that spot, and if such time would come that
25 we would want to, you know, terminate our contractual

1 relationship and switch to a different firm, or some
2 future council chose a different way to do it, you
3 would be able to exit that and just appoint somebody
4 else.

5 MR. FONTE: That's right.

6 MR. PETERS: That's right.

7 MRS. WERREN: Are there any other questions?

8 MR. PETERS: I think that's good stuff,
9 Steph.

10 MRS. WERREN: I think, according to -- with
11 Daryl, I like the way he always says it, I think we
12 have four votes to move it forward to next week.

13 MR. PETERS: Yes.

14 MR. REVOLDT: Yes.

15 MR. PETERS: Okay. Good.

16 MRS. WERREN: That's great.

17 Jeff, do we want to amend the agenda right
18 now to talk about the CARES Act?

19 MR. REVOLDT: Daryl is going to make a motion
20 to amend the agenda 2B, the CARES Act. Is there a
21 second?

22 MRS. WERREN: I will say "second."

23 MR. PETERS: All in favor?

24 ("Aye" in unison.)

25 MR. PETERS: Opposed? All right. Motion

1 carries.

2 Steph, carry on.

3 MRS. WERREN: Okay. So, as you know, we have
4 received money from the CARES Act, and some of the
5 things that we have spent it on are just those items
6 we've been talked about tonight, the Granicus system
7 and some of your different software systems. And we
8 have used the money, which was over 325,000, I
9 believe. Well, the government has come through
10 again, so I guess we all have, but we will be
11 receiving another approximately 175,000 to spend
12 hopefully by December 31. They had asked that if we
13 weren't using the monies to return so that they could
14 reallocate. And we will definitely be using the
15 monies.

16 Some of the other things we've used the
17 monies for are touchless systems in restrooms, and I
18 know Brian Hill -- and thanks, Brian, for working on
19 the touchless toilets. I know some bids came in a
20 little bit high, but working with some other vendors.
21 So updating all of those facilities and parks and our
22 main offices and things. So we definitely appreciate
23 the money and have used it, and thanks for the
24 administration and Jina and her team and being
25 creative in how we can use this to make the city even

1 better.

2 MR. PETERS: I like it.

3 MRS. WERREN: All right. So if there are --
4 and I think, Jina, we need that on emergency for next
5 week; correct?

6 MS. ALABACK: Yes, please.

7 MRS. WERREN: Okay. So I'm pretty sure we
8 have four people on that that want to move that
9 forward. And so we'll do that for next week.

10 MR. PETERS: Okay. Okay. Great.

11 MRS. WERREN: All right. Thank you.

12 MR. FONTE: Thanks, Steph.

13 MR. PETERS: Okay. Next up, Ordinance,
14 Rules, Claims. Chairman Stroia.

15 MR. STROIA: Thank you. We're going to
16 listen to a presentation from Ben here. He says 20
17 minutes. I'm going to time you, Ben, so take it
18 away, buddy.

19 MR. YOUNG: Yes. As Chairman Stroia said,
20 I'll try to keep it as short as I can.

21 So this is just a presentation to go with the
22 report you guys have all received at various
23 different times about the records maintained by the
24 office of city council. So I just want to talk about
25 the records as I inherited them when you all were

1 kind enough to select me as your interim clerk and
2 then in April as full clerk.

3 So, first, records were kept in five places.
4 The clerk's office, plus some cabinets in the hallway
5 that support the clerk's office, finance department
6 safe, the council cage, as we call it jokingly, but
7 it's really our records retention area in the
8 basement of city hall; the council's computer server,
9 and then the city's YouTube page. So each of these
10 locations had different records, as you can see on
11 screen, maintained in them but they all had kind of
12 similar themes of needing some organizational help.

13 So there are five main things that were
14 identified as issues with how records were kept. So
15 first was that when I came into the office I didn't
16 have a current RC-2 form, which is the retention
17 schedule, so the most current one I have is from
18 2005. So about 15 years old.

19 Second, there were a lot of duplicates,
20 obsolete, or unnecessary files.

21 Third, the filing system was dependent on
22 subjective identifiers. So to give you an example of
23 that, if I had a special assessment for sanitary
24 sewer on Main Street, it could be filed under special
25 assessments, it could be filed under sanitary sewer,

1 it could be filed under Main Street projects, and
2 finding it was kind of dependent on thinking the
3 scheme the person that filed it thought.

4 Fourth, there was a lack of referencing, so
5 related documents and folders were not
6 cross-referenced with each other. So it was
7 difficult to find other supporting documents.

8 And then finally, some tracking and
9 maintenance had been neglected. So an example of
10 that is like the RC-2. In conjunction with that
11 yearly, you should do a records audit and submit some
12 records for destruction, but that hadn't been done
13 for quite a few years.

14 So Step 1 was to identify all of the records
15 that I had. And that became five key records
16 categories. The fifth one is really kind of a
17 subcategory. So the first was legislative records,
18 which would be everything related to passing
19 legislation. So your agenda for tonight, your
20 council packet for tonight, this PowerPoint you're
21 looking at right now would all be legislative
22 records.

23 Second are office records. So these are
24 non-legislative things. So this includes the office
25 of council receives liquor permits or member files or

1 bankruptcy notifications.

2 Third is zoning or land records. So the
3 office of council is the recipient of petitions for
4 annexation or petitions for vacation. Or, as we just
5 talked about earlier tonight, zoning amendment
6 changes. So all the files related to those real
7 property things.

8 Fourth, and arguably most importantly, are
9 the permanent and historic records. Those include
10 council's journal, the codified ordinances, the
11 record of legislation. All those things that truly
12 document what the city did and why.

13 And then the fifth subcategory is clerk's
14 files, as I call them. So these are management and
15 operational things like templates, blank forms,
16 instructional pages. So, for instance, a blank
17 agenda request form that hasn't yet been filled out
18 would be a clerk's file. This led me to create a new
19 RC-2, which was actually just very recently approved
20 by our records and archives commission. And I
21 identified 26 record types that are maintained by the
22 office of council. There will be one change to that
23 RC-2, which is that union contracts are going to be
24 transferred to the department of administration to be
25 maintained with all other contracts that the city

1 has.

2 So the second step was creating a solid new
3 retention system so that, even if I got hit by a bus
4 tomorrow, all of you could find records you needed.
5 Or the public asked for.

6 So first, legislative files. These files are
7 now organized by year, and those years are titled not
8 just by the year but also by the council and the
9 session. So, for instance, as you can see here on
10 screen here, 2019 was the 89th council, and the
11 second session of the 89th council. So what that
12 naming system does, is it increases the potential for
13 cross-referencing. So not only can I find it by the
14 year 2019, but if I know I'm looking for 89th
15 council, I can find it that way, too.

16 Within each year, files are then organized by
17 document type. So there will be a file for agendas,
18 a file for legislation, file for legislation
19 requests, and that's because that's how they are
20 maintained on the records retention form, the RC-2
21 that we submit to the state. And then each type of
22 document has a uniform naming system. So if it's not
23 legislation, it's going to have an 8-digit numeric
24 code for the date it was on council's agenda, so our
25 example on screen is 06152020 Council. And then if

1 it is legislation, it's going to start with the
2 three-letter abbreviation for what type of
3 abbreviation it is. So here we have ordinance, then
4 the legislation number, so 37-1984, and then a
5 summarized title of that legislation.

6 So here we have a literary reference
7 authorizing the mayor to enter a contract for the
8 installation of Big Brother. So every document in
9 all these folders is named in this way so that you
10 can find it by date, you can find it by ordinance
11 number, you can find it by subject. And again, it's
12 all to increase that cross-referencing capability.

13 Office files are labeled fairly similarly, so
14 again, we have subfolders based on the type of
15 document because that's how the RC-2 maintains them.
16 So liquor permits, research, correspondence.
17 Correspondence, because it's referenced most often by
18 date, starts with the date and then kind of short
19 title and then the author. So our example here is
20 January 1, 1802, letter to Danbury Baptist and
21 Mr. Jefferson, of course.

22 And then all other files that don't
23 necessarily have a very specific date related to them
24 have descriptive naming, which is, I guess, a term I
25 have coined for including as many possible

1 cross-references in it as I can. So, for example,
2 our 2012 fire and EMS labor union contract. So that
3 has three potential cross-references. It has the
4 year, it has fire and EMS, and it has that it's a
5 labor union agreement. Or then for the liquor
6 permit, again, we have three cross-references. We
7 have Applebee's, we have that it's a liquor permit
8 and then we have the address that it affects.

9 Zoning or land files are filed much the same
10 way to office files. They're by type, so there's a
11 folder for annexations, a folder for vacations, and
12 they have descriptive names. So they include the
13 year, what type of land thing they are, and then a
14 short description of what area it relates to. So it
15 might be the 2014 Walsh University annexation. So
16 again, you have those three points of
17 cross-reference.

18 And then finally, permanent or historic
19 records. So records of legislation -- or I should
20 preface this with by law, all of these, or the most
21 of these must be kept in hard cover book form. So I
22 must have a paper version available in the office. I
23 can't just keep them digitally. So records of
24 legislation, which is the picture you can see
25 onscreen, those books are kept in a dedicated cabinet

1 under lock and key in the clerk's office at the
2 moment, and we currently use Wilson Jones archival
3 materials to produce those books. Each book is then
4 uniquely named with a volume number, the years it
5 covers and the -- or the time frame it covers and the
6 legislation it covers.

7 So, for example, this year's might end up
8 being record of legislation volume 40, Ordinances
9 1-2020 to 97-2020 covering January to December of
10 2020. Council's journal, commonly referred to as the
11 record of proceedings, was historically bound in much
12 the same way as the record of ordinances. But this,
13 for what the proceedings are, this is inefficient and
14 unnecessarily expensive because the minutes are much
15 more replicable than legislation. But that being
16 said, we are still binding them in semi-hard covers
17 on archival paper and then the -- they are again
18 uniquely labeled with record of proceeding, the
19 council, and the session it applies to and then the
20 time frame it covers. Currently these are still in
21 Finance's safe in a dedicated filing cabinet under
22 lock and key because their new home, which we'll talk
23 about later, is not yet ready for them.

24 So next I'd like to talk about what have we
25 accomplished already. And I'd like to preface this

1 by saying that almost all of these accomplishments
2 are not possible without input and help from members
3 of council, the mayor's office, and the many amazing,
4 talented people who work in other departments here
5 with me at city hall. And I think you'll be able to
6 see why as we get into some of these projects.

7 So first goal was organization. So I have
8 reorganized council's office. There's a lovely
9 picture there for you of my office currently.
10 There's all the contents of every drawer are now
11 posted on the drawer; the drawers are labeled with
12 alphanumeric identifying numbers and there's a
13 schedule posted of what's in each drawer by its
14 alphanumeric identifier.

15 Second, we did -- the former council intern,
16 Ed Walsh, helped me do a rough organization of
17 council's cage, the basement retention area. All the
18 boxes have been sorted roughly by what's in them and
19 we are now in the process of going through box by
20 box, file by file, auditing what's in it and where
21 should it properly be stored.

22 And then finally, we've -- or organization.
23 We've created the -- at least the rough scaffolding
24 of a master index for important council records. So,
25 so far what we have in this is all of the mayors of

1 the city and their terms, all of the council members
2 of the city and their terms, and the report says that
3 all legislation up to 1930 has been entered.

4 Unfortunately, we did have a computer unexpectedly
5 crash and we had to go back to a previous backup save
6 of the database so we're back down to just 1950. But
7 thankfully, because we have a built-in backup system
8 now, we were able to pull up an older version and
9 save half of our work.

10 Next, tracking the legislative process.

11 YouTube was fairly organized. All it needed was to
12 make some playlists to make it easier for people to
13 locate what year they're looking for. You can see on
14 the right-hand of your screen there's a picture there
15 of our new playlists. As we discussed earlier in the
16 meeting, we've adopted two softwares, AirTable and
17 Granicus, that help us track the legislative process
18 on the back end and help automate some of the more
19 time-consuming and potentially grammatical errorful
20 [sic] processes like making an agenda. So they help
21 us auto-populate an agenda so that there's no chance
22 that the clerk misnumbers it or that we forget
23 something.

24 And then finally, as has been tabled for now
25 but as you guys have seen that we've been working on

1 decodifying the rules of council. So currently
2 council's rules are part of the codified ordinances
3 and this makes them hard to amend, potentially
4 problematic to enforce, and gives the mayor undue
5 authority over how the legislature conducts its
6 internal business. Because if the legislature wants
7 to do something, in theory, the mayor could veto that
8 change. So with Council Member Stroia and Revoldt
9 and former Law Director Fox, we have been diligently
10 working to try to make new and improved rules of
11 council that will hopefully be coming back to you
12 guys sometime in the near future.

13 Next was improving the permanent records. So
14 as is the first big thing on the agenda that we'll
15 get to when I hand the meeting back over to Chairman
16 Stroia, we've completely redone the codified
17 ordinances of the city to save us money and bring
18 them under our direct control and allow us to more
19 constantly monitor them.

20 Second, for a brief period, legislation was
21 not being bound in archival materials and we have
22 since returned to using archival materials. That's
23 the top middle picture there for you is a picture of
24 this year's legislation book, actually.

25 And then third, we are improving the

1 permanent record by filling in the gaps. So
2 unfortunately, council's journal volume 37 went
3 missing, and we'll talk about that later, that's one
4 of the items on your agenda, and then with great help
5 from the department of engineering, specifically
6 Bruce Bernhard, he is helping me make zoning maps for
7 zoning change ordinances that when they were
8 initially passed did not have a map, but having a map
9 will make them easier to understand for the future.

10 And then finally, I was requested to touch on
11 records security. So steps have been taken to
12 prevent loss or tampering of records. All permanent
13 records have been rehoused into dedicated, locked
14 cabinets with access strictly controlled by the
15 clerk. All records that are digital and were in the
16 process of scanning in all paper records are being
17 backed up to the council server, and then council
18 server is backed up to an AirGaps hard drive, which
19 is stored at a separate locked location, again with
20 access controlled by me.

21 And then establishing lasting policies. So
22 to ensure that these practices continue, I've started
23 creating a clerk of council's binder, or handbook,
24 that you can see on screen and just filling it with
25 everything that I learn every day. And it is

1 constantly being updated. That has also morphed into
2 a creation of a council's binder, and this is
3 intended to be kind of like for freshman council
4 members, a "welcome to the team, here is the basic
5 things you need to know," and I'm hoping to have that
6 ready for December at our organizational meeting and
7 I can give it to all of you as if it were your first
8 time.

9 Next, we made permanent inheritable e-mails
10 addressed so that whoever is on council, the public
11 can always find them. So you can see Jeff's
12 permanent e-mail on screen is
13 ward2@northcantonohio.gov. This is not replacing
14 your personal e-mails. And it really will not affect
15 how you send or receive e-mail at all. It's just
16 that that address forwards to whoever holds that
17 position.

18 Next is a paper representation policy for
19 members of council, which again is on the agenda
20 tonight, and we'll come back to later just to clarify
21 when and how council members can use paper materials.

22 And then finally, to protect some of our
23 important permanent records, such as the
24 hundred-year-old legislation books, again, on
25 council's docket tonight we have a records viewing

1 policy.

2 So finally, our -- the plans moving forward.
3 Where do we go from here. So I've structured the
4 goals over the next three years, and the intention of
5 this is that we can track it by council's summer
6 break each year and I can continue to give council
7 "where are we now" updates to keep me accountable and
8 keep you and the public informed.

9 So broadly, what we're trying to achieve is
10 improving the referencability of records, the quality
11 of records, and how we store and secure records.

12 So first in referencability, as part of the
13 2020 recodification that we'll talk about here soon,
14 we want to build out and fully integrate our codified
15 ordinances into our website so on our website page I
16 can search "chicken ordinance" and a chicken
17 ordinance will come up.

18 For the second year, we want to have every
19 piece of legislation that the city has ever passed
20 scanned and into the master index so that we can
21 easily reference it, pull it up and do research for
22 our own purposes or for public purposes.

23 And then finally, by the third summer we want
24 to rebind some of the books that are falling apart
25 and upload all those scans of ordinances to the city

1 website.

2 And just to take a very brief dive into what
3 I mean by rebinding. Some of the ordinance and
4 minute books, particularly those from 1920 and
5 earlier that are a hundred years old or older now,
6 are in bad shape. Paper really just does not last
7 very well over a hundred years even if it is archival
8 quality. So some of those earlier books really need
9 rebound. Hence, so we will hope to do that over the
10 course of the next three years, and the estimated
11 total cost is about \$4,500. For quality, tying into
12 others, we want to scan in all legislation that is
13 currently just in paper form in the first year.

14 In the second year, we want to kind of bring
15 civil service's records into this process and improve
16 them as we go along, too, and we want to add
17 descriptions to all legislation on the city website
18 just to improve accessibility and ensure ADA
19 compliance.

20 And then our goal for the third year is to
21 create formal rules and regulations for the planning
22 commission and the zoning board of appeals similar to
23 what already exists for civil service and city
24 council just to make using those boards easier for
25 the public and the members of the board.

1 Finally, storage. And what this really means
2 is council's cage. So ideally we want to go through
3 the whole cage and revamp it to free up space, store
4 records more efficiently, and be ready to continually
5 create records into the future. So as I said
6 earlier, we've done a rough organization of council's
7 cage, so this is a diagram of how council's cage
8 exists right now. Words in the white space indicate
9 piles of boxes on the floor that we are steadily
10 transitioning to new homes.

11 Originally what I wanted to do was to use
12 this existing space and revamp it with new, modern
13 filing cabinets instead of wooden shelves and
14 dedicated homes for everything. In talking to the
15 department of administration about this project, it
16 kind of snowballed into the entire basement storage
17 area being redone. So we are working with the
18 department of administration to create plans for what
19 the entire basement could look like, how best every
20 department can store its records, and how the entire
21 city can function better together.

22 So what that turned into was a new dedicated
23 plan for revamping council's cage with dedicated
24 filing cabinets again instead of wooden shelves. So
25 as you can see here, it's mostly vertical filing

1 cabinets, and the three lateral cabinets in the
2 middle will also double as kind of a records review
3 table. In total, this will cost about \$5,000. But
4 just to put that in perspective for you guys, one
5 improperly kept record gives us a maximum liability
6 of \$10,000. So essentially, one incorrectly
7 maintained sheet of paper could potentially be a
8 \$10,000 liability for the city.

9 And so what I want to do is match the
10 revamping of the cage to the three-year phased goal
11 approach of the entire project. So each year will
12 cost less than \$2,000 total, and we've already made
13 some savings in our department budget to offset these
14 costs and over the course of the next three years we
15 will install the new cabinets, revamp and have all of
16 council's records permanently stored in a brand-new,
17 coherent system.

18 So just my last slide is this is my final
19 tentative timeline of when all these goals will be
20 accomplished. And as you can see, it's kind of
21 matched to collegiate semesters, because completion
22 of these goals is highly dependent on the continued
23 assistance of collegiate interns because I simply, as
24 a one-man department, do not have enough time to do
25 everything by myself. So having those collegiate

1 interns is really a boon to help this project on.

2 And so with that, I'll turn it back over to
3 you, Chairman Stroia.

4 MR. STROIA: Thanks, Ben. I appreciate it.

5 You know, coming from a background of
6 compliance, I appreciate the depth that you went to
7 because this is a massive project. I mean, it is --
8 it is huge. I mean, just look at that timeline and
9 all the stuff in there. And I do want to address
10 liability, because when you have a good record
11 retention system, good compliance system, you reduce
12 liability. It's that simple. So I appreciate the
13 time and effort that you put into this.

14 Does anybody else have any comments about
15 Ben's presentation?

16 MR. FOLTZ: Yeah. It's Vice Chair Foltz.
17 Excellent presentation, Ben. Very thoughtful.
18 Really, it's exciting that we're going to correct
19 some things that needed done for many years. And
20 that isn't to pass blame, it's just nice to have
21 someone that has this focus and direction for us to
22 protect our -- our records and our ordinances that
23 have been around for over a hundred years and really
24 put it in a system that, like Ben had mentioned, it
25 can be ascertained by anybody that would want it or

1 ask for it. So excellent job, Ben. Well done.

2 MR. FONTE: I agree. This is Dominic.

3 Hey, Ben, do you work on private jobs? Do
4 you work on sheds? My shed needs a lot of work like
5 that. Good work.

6 MR. YOUNG: Thank you.

7 MR. PETERS: Excellent work, Ben.

8 Unbelievable.

9 MR. STROIA: Okay. Let's move on to B then.

10 MRS. WERREN: Hey, Ben. I'm sorry. This is
11 Stephanie.

12 Just one thing. I just want to say, I mean,
13 we hired Ben and we were talking about some of the
14 different skill sets. I think this is just amazing
15 what you just showed us and it shows us a different
16 caliber. And I know we've had some people that have
17 commented that, you know, we've had three different
18 clerks in so many years, but we've done that because
19 we are moving up and we have that different
20 expectations. We're not asking Ben to type minutes
21 anymore. We have a whole new kind of set of
22 responsibilities and roles of what we want him to do,
23 and the fact that you just did this, Ben, is going to
24 change the whole way we look at things, the way
25 administration looks at things, and just put us on a

1 much smoother path. So this is exactly what we want
2 to see in the city, and it was so the right move on
3 both of our sides to move into this direction. And
4 so thank you. I just wanted to make sure that you're
5 aware of that.

6 MR. YOUNG: Thank you.

7 MR. STROIA: All right. Anybody else? All
8 right. Let's move on to Part B.

9 So Part B deals with streamlining codified
10 ordinances. There's a heavy cost of codification.
11 We found that there's a lot of duplicative
12 information, obsolete stuff, and if we get rid of
13 some of the -- if we decodify, we can offer more
14 timely updates. I'm going to turn it over to Ben to
15 talk about Part B.

16 MR. YOUNG: Yes. So the real intention of
17 this project is right now, as you probably all know,
18 we contract with a company called Drane, who was
19 recently purchased by American Legal Publishing, to
20 update our codified ordinances for us. That costs us
21 anywhere from 5- to \$7,000 annually, which, to me,
22 felt outrageous when we only pass maybe 10 amendments
23 in a given year. And so what we were really paying
24 for was their man hours to essentially edit Word
25 documents for us.

1 So the intention of this project is to bring
2 the codified ordinances back under direct city
3 control. So into our own Word documents,
4 essentially. And then we can update them as we go
5 more frequently instead of once a year, and that will
6 keep them more accurate, not just for us but for the
7 public, and it will also save us a lot of money,
8 because with modern word processors like Microsoft
9 Word, updating a document even the size of the
10 codified ordinances, which the one I have put on your
11 agenda tonight is 657 pages, is easy. It would take
12 me less than an hour to make all of the changes that
13 we've made so far this year. So the idea is really
14 to save us money on the first end, and then on the
15 back end, ideally, once we have it fully under our
16 control and supervision, to go through really
17 intentionally and think about, Is this chapter and
18 its provisions really working for the city in the way
19 we want it to.

20 And so a followup to this initial project
21 would be maybe the rules committee going through each
22 chapter and really taking the time to think about do
23 we want this. And as we do this, we will no longer
24 have to worry about, oh, what will the cost be
25 because every change we make is increasing the cost

1 of our codification update.

2 MR. FOLTZ: Okay. This is Councilman Foltz.

3 I had a question, Ben. How much savings will
4 this provide for us yearly?

5 MR. YOUNG: So this year we budgeted \$7,500
6 and we have only spent about 300 of it for the
7 website hosting. So it will save us \$5,000, roughly,
8 per year.

9 MR. FOLTZ: For a year.

10 And just to go back to your presentation,
11 that \$5,000, I think you wanted like \$6,000 overall
12 to redo the council cage with all the cabinets or the
13 organization materials that you needed. This pays
14 for that right now basically.

15 MR. YOUNG: Yeah.

16 MR. FOLTZ: Or most of it; correct? So job
17 well done here. Thank you.

18 MR. YOUNG: One thing I do want to strongly
19 emphasize is, in doing this recodification, we took
20 out a lot of Ohio Revised Code references that were
21 copied almost word for word. And what that means is
22 that in our traffic code and in our general offenses
23 code in this new version you'll see that a lot of
24 things are missing. So, for instance, driving under
25 the influence. Those things were removed. What I

1 want -- what I really want to clarify is that we
2 removed it because it was redundant with state law.
3 So even though it is coming out of our codified
4 ordinances, it is absolutely still illegal to drive
5 under the influence. So nothing that we are removing
6 as redundant is now legal. Our codified
7 ordinances --

8 MR. STROIA: Can you repeat that, like, ten
9 times so people get that through? Because that's the
10 number one complaint I get about editing this. It's
11 not changing anything pursuant to the ORC. I want to
12 stress that.

13 MR. YOUNG: Right. Right. So under -- in
14 Ohio courts, our codified ordinances are the lowest
15 form of law. So if our codified ordinances can be
16 trumped by Ohio law, Ohio's constitution, federal
17 law, the federal constitution, and so all of these
18 things that are already in higher law we don't need
19 to restate in our lower law. So the best I'd like to
20 summarize this up as we've been talking about it in
21 the past couple months is, if it's the law in the
22 state of Ohio, it's the law in North Canton.

23 MR. STROIA: Yes. Okay.

24 MR. DEORIO: Mr. Chairman, this is Patrick.
25 May I offer two things?

1 MR. STROIA: Yes, sir.

2 MR. DEORIO: I would just ask that, in that
3 example that Ben has given, that if there are any
4 other similar types of things that deal with, you
5 know, items that can be, you know, cited by the
6 police department, I would like us to coordinate the
7 police department. For example, by removing this
8 codified section regarding driving under the
9 influence, does that remove the ability by local PD
10 to cite -- to have the choice of citing under ORC or
11 citing under local ordinance. And having spent nine
12 years at the clerk of courts, I know that that is
13 something that police departments like to have the
14 ability to do. So I would just ask that we -- that
15 we consult with Chief Kemp on that before we reach a
16 final determination on something like that.

17 The other thing, though, that I wanted to say
18 why the administration is so excited about this is
19 that we were never really a fan of the once-a-year
20 updating or even twice-a-year updating because when
21 we would make changes to zoning, for instance, when
22 Daryl, I think you remember we worked on that sign
23 ordinance and changed that, that didn't get updated
24 until a year later in the codified ordinances. So
25 people that were out looking through that website,

1 American Legal Publishing, or whatever the name is,
2 and they look and say, oh, yeah, you still can't have
3 these kind of signs in the city. Well, no, we
4 changed that. Well, it didn't get updated. It
5 didn't get updated until once a year. With zoning it
6 should happen, you know, immediately. As soon as
7 practical. Because there are people out there that
8 look through that stuff to figure out whether or not,
9 you know, what they want to do in the city. So job
10 well done to council and to the clerk.

11 MR. STROIA: Thank you. Good points,
12 Patrick. Thank you.

13 MR. REVOLDT: This is Daryl.

14 Just to add a footnote to what Pat said, the
15 ability to update elements in the planning
16 commission, sign ordinances, et cetera, is really
17 integral to our economic development policy. Because
18 we don't know when people are necessarily looking at
19 us, so it's important that we have the best
20 information available almost immediately so we don't
21 lose -- inadvertently lose an opportunity.

22 MR. STROIA: Good point, too. Anybody else?

23 MAYOR WILDER: Can I add on that?

24 MR. STROIA: Yeah. Go for it. Thanks.

25 MAYOR WILDER: Again, Matt, when I was in the

1 police department, there was times when laws were
2 repealed in the motor vehicle code or criminal code
3 and we would have to stay on top of that so that we
4 could follow that change within 30 days, but getting
5 an update once a year or twice a year, it really
6 wasn't that beneficial for us, you know, from the --
7 from the police department point of view. So I think
8 this is a good move that we can stay current with
9 state and federal law that changes, so just again, I
10 think it's a good move for our city to do this.
11 Thank you.

12 MR. STROIA: Thank you, Mayor.

13 Anybody else? Any questions on Sections 1
14 through 8 on that?

15 Okay. So I move to push this forward seeing
16 that I believe we have enough support.

17 MR. REVOLDT: Yep.

18 MR. STROIA: Okay. So let's move on to Part
19 C. Part C is the paper representation policy.

20 Ben, I'll let you take it away again. You're
21 doing a good job.

22 MR. YOUNG: So this policy does two things.
23 First, ensure that when council uses city letterhead
24 it can be properly tracked and documented as a public
25 record, and then second, to ensure that you're not

1 using letterhead or business cards to give you, as an
2 incumbent, an unfair advantage in local elections.

3 MR. STROIA: This is pretty standard. I
4 think everybody's read this.

5 MR. CERRETA: I've got something for Ben, if
6 you don't mind, Matt.

7 MR. STROIA: No, go ahead.

8 MR. CERRETA: This is -- first of all, this
9 is great work, Ben.

10 I have an issue with the business cards and
11 phone numbers. I believe it is Section 5, number B.
12 Okay, because that's basically what a card is for.
13 To receive calls, to give them your name. And, you
14 know, for our councilperson to receive bigger
15 concerns or ideas. And people don't need to call
16 just any time you're in to where the council is. I
17 think it's important that we have our number on that,
18 because if we're working with someone, a vendor or
19 maybe an economic development person or something,
20 you know, they want to talk, we give them the cards
21 so they can contact us about something. What am I
22 going to tell them? Here's my card, call the clerk.
23 He'll screen your calls and get back to me? I think
24 that's a little unprofessional. So I'd like to
25 strike that section there about not having your

1 personal phone number on there. I don't see how that
2 can concern any kind of advantage to election. I
3 think all that does is give us better service to our
4 constituents when they want to talk to us about
5 something and show that we do represent, you know,
6 them and they can give us a call. So that part I
7 have a little issue with, Section 5, number B. I'd
8 like to strike that.

9 MR. YOUNG: The reason we opt to not have
10 personal e-mails and personal cell phone numbers
11 is --

12 MR. CERRETA: Not personal e-mails. It just
13 says personal phone number.

14 MR. YOUNG: Yes. But the reasoning behind
15 excluding both was the same. Was that the members of
16 council are elected, and there is a chance that every
17 two years it might be someone different. So if you
18 give the business card in October and then you lose
19 the election in November, we want that member of the
20 public to still be able to reach their local
21 government regardless.

22 MR. CERRETA: It's a card with the person's
23 name on it that's not even elected there anymore.
24 Why are they going to call that if they want to get
25 in touch with that person about an issue in a ward or

1 regular things, I don't think that has anything to do
2 with getting -- they're going to call that number and
3 that person's going to say, Well, I'm not the
4 councilman anymore. Call city council or city hall.
5 I don't see how that has any compliance that's going
6 to be against any kind of election issues or
7 anything. I think all that does is give service to
8 our community people who want to call us. I don't
9 know about you, I use cards. I use a lot of cards.
10 Does anybody else use the cards? Maybe you don't use
11 the cards and it doesn't matter. I do.

12 MR. REVOLDT: This is Daryl.

13 Mark, I'm with you. If your card has your
14 name on it, you're standing on somebody's front porch
15 and you say, Hey, listen. If this pops up again,
16 give me a call. Let's think about this from the
17 constituent's standpoint. He wants to reach out
18 directly to you. And, you know, we don't want to
19 have the call rerouted. You know, he may want to
20 call you at 10 o'clock at night. And I think that's
21 why having your name, your number on the card is
22 important. You can put the council office on as
23 well, but I think the councilman ought to have his
24 phone number on there. And if he goes out, he goes
25 out. It's not the end of the world, you know. We'll

1 get it through the council office, he'll get it. He
2 calls the council clerk and says, Hey, Revoldt's
3 gone. Who do I talk to out there? The clerk tells
4 him. Bang. And they get him a new card. But I'm
5 with you, Mark. I think that if you have a card, it
6 ought to have your personal number on it, if you
7 elected that.

8 MR. STROIA: Anybody else?

9 MR. PETERS: No. I agree, Mark.

10 MR. STROIA: I think that's a good point.
11 Why don't we -- why don't we amend that and we can
12 put -- you know, it could still have the office
13 number but you have the option to put your cell phone
14 number on.

15 MR. REVOLDT: Absolutely.

16 MR. FONTE: The discretion.

17 MR. STROIA: To some extent that would be
18 good.

19 MR. FONTE: At the discretion of the council
20 member.

21 MR. REVOLDT: Actually, that's a better
22 approach to have both numbers, because if you're on
23 vacation or something and you don't get a call, you
24 at least can have the council number and the clerk
25 can talk to you.

1 MR. STROIA: That would be good.

2 MR. REVOLDT: All right.

3 MR. STROIA: Just making a note here.

4 Anybody have any comments on any of the other
5 sections 1 through 7?

6 Okay. I feel that we have enough support for
7 that so let's move that on to the next agenda and
8 let's go. I'm sorry, what was that?

9 MR. PETERS: No, we're good.

10 MR. STROIA: Okay. Let's go on to Item D.
11 Okay. Item D, access to the records. Ben, go ahead.
12 You can go -- take this away, too. Go ahead.

13 MR. YOUNG: As I mentioned earlier in my
14 presentation, some of the -- well, first, all of the
15 records books have high value to the city so we have
16 an interest in protecting them, and then second, some
17 of them are over a hundred years old and so we would
18 ask that members of the public use gloves or masks
19 potentially when viewing those to prevent further
20 deterioration.

21 MR. FOLTZ: Okay. I don't have a problem
22 with that.

23 MR. STROIA: Pretty standard.

24 MR. REVOLDT: Matt, this is Daryl.

25 The rules that Ben proposed align nicely

1 with, one, those -- those rules that one would find
2 at a historic archive.

3 MR. STROIA: Agree. A hundred percent.

4 MR. REVOLDT: This is -- this is not -- this
5 is not unusual in terms of record security. You
6 know, you can only get one at a time. You got to use
7 gloves. You know, there's supervision, et cetera.
8 So I think we're on safe ground there.

9 MR. FOLTZ: Okay. Matt, I'd say we move that
10 forward too.

11 MR. STROIA: We'll move that forward. And
12 then Item E. Item E is going to be acknowledgement
13 of a record that went missing. Ben, go ahead.

14 MR. YOUNG: Again, as we mentioned earlier,
15 Volume 37 of the council journal went missing.
16 Thankfully all of the records that were in that
17 journal were scanned into the computer so I was able
18 to fully recreate the journal. This is just a
19 resolution acknowledging that essentially that
20 happened, that it went missing and that it since has
21 been replaced.

22 MR. STROIA: And just to clarify, it is
23 digital. I mean, it was saved digital, it hasn't
24 been edited. It is just rescanned instead of the
25 actual original paper document; correct?

1 MR. YOUNG: Correct. So they are scanned of
2 the original paper document.

3 MR. STROIA: Got you.

4 MR. FOLTZ: Okay.

5 MR. PETERS: Now, are we going to transfer
6 that back to paper? Don't we have to --

7 MR. YOUNG: Yes. I've actually already
8 reprinted the books and locked them up in the
9 cabinet.

10 MR. PETERS: Now, in doing so, will this
11 resolution acknowledging the loss, is that all we
12 need to do or is there going to be some sort of, you
13 know, like an asterisk attached to this, the paper
14 copy? Or acknowledgment that it's a reproduction.

15 MR. YOUNG: I can certainly put into it a
16 note that this is a reproduction.

17 MRS. WERREN: Is that a guideline that we
18 need to follow or --

19 MR. PETERS: That's what I'm asking.

20 MRS. WERREN: Yeah.

21 MR. REVOLDT: Jeff --

22 MR. YOUNG: So for public records, I am
23 required to have a copy that I can produce if someone
24 were to make a public records request. It does not
25 necessarily have to be the original. Obviously we

1 would prefer to still have the originals but
2 unfortunately, we don't.

3 MR. PETERS: Okay. All right. Got you.

4 MR. REVOLDT: Jeff, this is Daryl.

5 MR. PETERS: Yes.

6 MR. REVOLDT: If you look at the -- I think
7 the third "whereas" in the proposed resolution, it
8 does acknowledge that this is a reproduction.

9 MR. PETERS: Oh, okay.

10 MR. REVOLDT: You might want to -- might want
11 to pull one of those down into one of the sections
12 because that's the actual ordinance.

13 And the second thing is, is should we, Ben,
14 have some reference to the fact that the clerk
15 certifies, to the best of his ability, that this is a
16 true, complete, and accurate record. So that we
17 believe that it is fully complete.

18 MR. YOUNG: We certainly can, yes.

19 MR. REVOLDT: So we address that issue in
20 discussion. And to the best of your ability, you're
21 certifying to the best of your ability that it is
22 complete.

23 MR. YOUNG: Yes. So for every meeting date
24 that I could find, there is a record in the new
25 reproduction.

1 MR. REVOLDT: Perfect. Okay.

2 MR. STROIA: Ben, thank you for that. So
3 we'll move that forward.

4 MRS. WERREN: Thanks, Ben. Thanks, Matt.
5 Thanks for initiating and moving things forward.
6 Good ideas.

7 MR. STROIA: Thank you.

8 MR. PETERS: Yeah, Ben, Matt, and Daryl all
9 put in work on that.

10 MRS. WERREN: Yes, Daryl. Thank you, too.

11 MR. PETERS: Okay. That concludes your
12 portion, correct, Matt?

13 MR. STROIA: Yes, sir.

14 MR. PETERS: Thank you, sir.

15 All right. Moving on. Water, Sewer,
16 Rubbish. Chairman Cerreta, the floor is yours.

17 MR. CERRETA: Yeah, I'll let Rob talk about
18 it's the relocation of some replacement of city water
19 lines looks like where the roundabout's going to be
20 around Orion. Rob, you want to take that over? Are
21 you online?

22 MR. GRAHAM: Yes, I am, sir. Can you hear
23 me?

24 MR. CERRETA: Yep.

25 MR. GRAHAM: Mr. Chairman, this is one the

1 county commissioners, through the county engineer's
2 office, came to us. It's obviously outside the city
3 limits, but I'm quite excited about this. They
4 wished to collaborate with us. They could have
5 worked with other government agencies, but in about a
6 year and a half the county engineer has got about
7 2.7 million in federal dollars, and he's looking to
8 get the local share through OPWC, and to collaborate
9 with them really strengthens their OPWC grant. With
10 the project, we're going to have about possibly
11 \$400,000 worth of relocation work that we'd have to
12 do to accommodate those roundabouts, but since, you
13 know, we're outside the city we would have to bear
14 all that cost, no different than Spectrum Cable or
15 AEP. In teaming with them, we'll be able to get, if
16 they're successful with their grant application,
17 maybe half of that covered. And so the grant would
18 pay for that, even though it's outside the city.
19 Which is great for us and it's good for them. It's
20 sort of a win-win for both of us.

21 It's really our fourth project we've worked
22 together closely on and struck agreements with the
23 commissioners and the engineers just in the last few
24 years. The Whipple-Everhard last year, Applegrove
25 this year, and now the East Maple bridge. And really

1 continuing that collaboration. It gives us the
2 ability to update our facilities out there as well as
3 part of their overall roadway project.

4 MR. PETERS: All right.

5 MR. CERRETA: That's a big entryway, too, and
6 looks like a pretty interesting project with those
7 roundabouts. So sounds like we're saving some money.
8 You wanted this on emergency for bidding processes
9 or --

10 MR. GRAHAM: Yes, please, because OPWC
11 applications are due Friday, October 16, so that way
12 we would have that all in order by that time.

13 MR. CERRETA: Okay. Anyone else, any
14 questions about any of it?

15 MR. FONTE: I believe it's under Streets and
16 Alleys, guys, FYI.

17 MR. CERRETA: No, I think we were switched
18 over there, Dom, as earlier changes in that.

19 MR. FONTE: Okay. Okay. I must not have the
20 updated one.

21 MR. CERRETA: No, I don't. Yeah, he changed
22 it.

23 Okay. So we'll go on to B then, and B has
24 something to do with our Ohio Public Works Commission
25 for grants. This is, if I'm not mistaken, on

1 Glenwood from Donner, which is at the middle bottom
2 of the hill all the way up to the top of the hill
3 where the road Hillcrest -- no pun intended, hill
4 crest, get it? -- and then it cuts down Hillcrest to
5 the middle school, and then goes down there, it looks
6 like, to Glendale.

7 MR. GRAHAM: Yeah. We've got a little piece
8 on Donner. Basically it's a continuation of what we
9 had done last year in front of the hospital, the
10 Glenwood Phase 1 water line. This year I would like
11 to apply for Ohio Public Works Commission funding.
12 Again, those applications are due Friday, October 16.
13 And I'd just like to put in that it's a 51/49 percent
14 grant. I think we need to do the project even if
15 we're unsuccessful with the grant. The water line
16 is -- you know, obviously the roadway is in horrible
17 shape, and the water line as well. So we would clean
18 up the curb and gutters, repave the road and have a
19 new water line in that area. We've had quite a few
20 breaks, and it's been tough on Brian Hill and his
21 staff to properly maintain that section.

22 MR. REVOLDT: Hey, Rob. This is Daryl.

23 That is the finish water line; correct? Not
24 the raw water line?

25 MR. GRAHAM: Exactly right. Yes. There's

1 also a raw water line from the wellfields to the
2 plant, but no, this would be the finish water line
3 and be the same water line we replaced in front of
4 the hospital last year.

5 MR. CERRETA: And we're going to be redoing
6 that road then, too, I take it?

7 MR. GRAHAM: Yes. Once we get the water line
8 in underground, there's some sections are really
9 horrible, heaved, and salt has eaten a lot of curb
10 and gutter. We'll place that while we're in there
11 and then mill and repave the whole street to get rid
12 of our water line trench and just sort of clean that
13 up. Of all of our gateway streets, we've been
14 working hard these past couple years but that's
15 pretty much an eyesore right now.

16 MR. CERRETA: I know sometimes this can be a
17 sore subject, but is there a way we can get a
18 sidewalk in there when we're working on this now?
19 This has been an issue with a lot of people that want
20 to walk down to Price Park. Walk down, we're going
21 to do this road, is there a way we can fit in a
22 sidewalk of some sort? You know, the sidewalk gets
23 to the top of the hill and just stops.

24 MR. GRAHAM: I haven't really, to be honest,
25 really taken a hard look at that, but we certainly

1 can.

2 MR. FONTE: I concur on that. This is
3 Dominic.

4 The school stops up at the top of the hill on
5 the corner of Glenwood and Rose Lane. Well, it's not
6 Rose Lane. It's Cordelia. Or not Cordelia but Fair
7 Oaks. So it comes down all the way to the park, that
8 would be nice on the north side.

9 MR. CERRETA: We've got that great sidewalk
10 at the bottom of the hill and people want to get down
11 there, and the sidewalk ends at the top of the hill
12 and people can't get down to where they want to go.
13 And that, I think that's a big, you know,
14 transportation just nowadays up and down that area.
15 You see people walking in the side of the road
16 because there's no sidewalk. That's a very dangerous
17 situation there, so if we could check on that, Rob,
18 I'd really appreciate that.

19 MR. GRAHAM: Absolutely. Yes, sir.

20 MR. PETERS: I would support you a hundred
21 percent on that, Mark. Just as I support the 7th
22 Street hill sidewalk as well. I think those two
23 roads need it.

24 MR. FOLTZ: I want to weigh in on this. This
25 is Foltz.

1 I'm not against this. As long as we're going
2 to take care of some sidewalks we already have, I
3 think if we're moving this direction -- I haven't
4 voted against anything, guys, but 7th Street and
5 Easthill, I think if we're going to look at a new
6 venture here, or new perspective on sidewalks, I
7 definitely, Rob, and we talked about it, I want to
8 revisit Portage to have some kind of streetscaping
9 done, whether it's just off the sidewalk itself and
10 replace existing sidewalks that are in very bad
11 condition, some of them. And Woodrow, I think we've
12 got to set aside some money for those because those
13 have been maintained by residents, or the public,
14 and, you know, if we're going to put new sidewalks in
15 without charging the residents for any assessments, I
16 think we owe it to replace the ones that we have that
17 are in need of repair. So I'm just asking this
18 council to look at that for the future as far as some
19 kind of policy or setting aside money for those
20 projects also.

21 MR. FONTE: I think we have something already
22 set up for the sidewalks existing. Pat can chime in
23 on that.

24 MR. CERRETA: I don't know where we are on
25 that, if we used any of that money or whatever, but,

1 you know, we're getting to the point where the age of
2 our sidewalks are old, just like he said. We need to
3 start budgeting money like we do roads. What
4 difference does it make.

5 MR. FOLTZ: Yeah, I agree.

6 MR. CERRETA: We want things to make so
7 they're safe. I agree with you. I walk a lot, and
8 there are some points you can't even get a stroller
9 up top because it's so far apart.

10 MR. FOLTZ: You're right.

11 MR. CERRETA: Where are we at with that? On
12 Woodrow, yes, but even on East -- West Maple Street
13 there's some really bad sections and so on. So we
14 need to do something about that, whether we budget it
15 or we start getting really tough on the actual
16 ordinances and so on.

17 MR. GRAHAM: We did adopt the sidewalk
18 program last year, had it in the budget where we
19 would share the cost with the residents. I think we
20 had something like \$150,000 in the budget. But when
21 COVID hit, you know, we were asked to look at things
22 that maybe we could temporarily put the brakes on,
23 and that was one of them.

24 MR. FOLTZ: Yeah. And back to the point,
25 Mark, I think Easthill, 7th Street, there's not going

1 to be any charge to the residents. So, you know,
2 that might be more welcoming to get that done
3 depending on how the resident feels about somebody
4 walking next to their house and they haven't had it
5 done before. I think it's inherently unfair just to
6 say we're going to start setting aside money for
7 those and it's 50/50 everywhere else if we're going
8 to start, you know, capital improvements towards
9 complete street structure improvements, including the
10 sidewalk. So that's all I want council to think
11 about. If we're going to change direction, I'm more
12 than willing to say okay and vote for these, you
13 know, like Glenwood, you know, if there's not a lot
14 of blowback from the residents, but I think we owe it
15 to say then it's a hundred percent to the other
16 sidewalks that need done and we're going to set aside
17 certain money for that.

18 MR. FONTE: I agree with that.

19 MR. FOLTZ: On Woodrow or wherever else in
20 the city we need it done. That's all I'm asking this
21 council to do is be consistent with that.

22 MR. CERRETA: I agree. Maybe set aside a
23 good discussion, you know, session on that because we
24 do need to get sidewalks where people want to go, but
25 we still need to fix the old ones. Maybe we can

1 really come up with some things --

2 MR. FOLTZ: Exactly.

3 MR. CERRETA: -- rather than going off the
4 side like we're doing here.

5 MRS. WERREN: And maybe a budget to see how
6 much it really costs. We need some costs as well.

7 MR. FONTE: This is Dominic.

8 Can we put it on meeting of the whole and
9 have a discussion about our sidewalk plan. You know,
10 since COVID we did a control of that. And we fix the
11 existing and figure out our connection points.

12 MR. CERRETA: Right. And, you know, we can
13 talk about that. Let's do that, Dom. Put that on
14 our -- or suggest you put that on. It should go
15 through and I'm sure he'll be happy to do that.

16 MRS. WERREN: Hey, Rob, will you be able to
17 get some costs? I don't think we can have a
18 discussion without knowing how much the costs will
19 be.

20 MR. GRAHAM: Yeah. It's about \$8 a square
21 foot for that.

22 MRS. WERREN: Yep. Thanks.

23 MR. FOLTZ: All right. Thank you, council
24 members.

25 (Cross-talk.)

1 MR. DEORIO: Mr. Chairman, this is Patrick.

2 MR. CERRETA: Rob, this is on emergency,
3 right, that Glenwood, that street/water line
4 replacement you're talking about?

5 MR. GRAHAM: Yes. To meet the October 16
6 deadline.

7 MR. CERRETA: So we'll get that on. All
8 right. Sorry, Pat.

9 MR. DEORIO: Mr. Chairman, in light of what
10 you said in regards to Glenwood and the sidewalk, and
11 I agree with you that if we're going to do that, you
12 know, there couldn't be a better time to do it.

13 MR. FONTE: Right.

14 MR. DEORIO: What you're proposing. But I
15 want to make sure the council's aware of the process
16 that needs to be gone through before we get to that
17 stage.

18 In the areas where there are no sidewalks, we
19 have to have Engineering conduct some field work on
20 to whether or not we have the right of way or whether
21 we need to acquire right of way. Up on 7th Street
22 where we're talking about putting in sidewalks where
23 there aren't any, if there's a resident who objects
24 to the sidewalk, then council's, or the city's,
25 recourse to that is to force the sidewalk into place,

1 which would require a taking, which would be in the
2 form of an eminent domain action in court. So that
3 can kind of gum things up. So if we wanted to do
4 this for next year, we should probably, like, now,
5 like, start inventorying who would be in favor of
6 having the sidewalk on Glenwood and be willing to
7 give us the easement or the right of way as needed,
8 and those that aren't then we would have to go that
9 other route. So I would recommend it to fulfill your
10 request here that I direct the engineer to begin that
11 work.

12 MR. FONTE: Patrick, Dominic here.

13 Is there like a normal easement anyhow from
14 curb in where like the devil strip and sidewalks
15 would be on all properties? Like say --

16 MR. DEORIO: Not necessarily. It varies by
17 street.

18 MR. FONTE: I was just curious because they
19 stop it there at the corner, and then I know there's
20 grant money for the ADA accessible corners, so that's
21 why I was just thinking that, you know, depending on
22 how wide the sidewalk is. You know, like 7 foot.

23 MR. DEORIO: It varies by street. It could
24 be wide, the city has a wide right of way, or it
25 could be, in some parts of 7th Street we only have

1 4 feet.

2 MR. FONTE: Okay. Well, we should probably
3 look into that, if we can check the engineering, see
4 if we have to go knock on doors.

5 MR. DEORIO: Do you hear that, Rob?

6 MR. GRAHAM: I do. Thank you.

7 MR. FONTE: Let me know, and I can knock on
8 doors. Not a problem.

9 MR. GRAHAM: Okay. Thank you.

10 MR. CERRETA: I'm finished with my section,
11 Jeff. Thank you.

12 Jeff, are you there?

13 MR. PETERS: Yep. Sorry about that. I was
14 muted. I don't know how I got muted. Sorry about
15 that.

16 Next one, Street and Alley. Chairman Fonte.

17 MR. FONTE: Okay. So this is the city
18 confirmed the work was completed. They want to
19 release the two lots over in Monticello to AMC Land
20 Company, Ltd. Rob, if you have anything else you
21 want to chime in about that.

22 MR. GRAHAM: No, that's perfect. AMC called,
23 and we whittled it down to just two lots we were
24 holding for them to finish that sidewalk in all seven
25 phases that they have constructed, that work has been

1 done so there's no need to hold that bond any longer,
2 and it's my understanding they have a pending sale on
3 one of the two lots.

4 MR. FONTE: Nice.

5 MR. PETERS: That will be under emergency?

6 MR. GRAHAM: If permitted, yes. I think to
7 help them out it would be nice.

8 MR. PETERS: Okay. All right. Very good.
9 All right. Thank you, Dom and Rob.

10 That concludes our agenda. I'll entertain a
11 motion to adjourn.

12 MR. FOLTZ: Hey, real quick, Jeff. There is
13 no meeting next week; right?

14 MR. PETERS: That is correct.

15 MR. FOLTZ: Okay. Just so everybody knows.
16 All right.

17 I'll make that motion, Jeff.

18 MR. PETERS: Yeah, Ben's got the meeting
19 schedule on the -- I didn't have that on my agenda.
20 Sorry.

21 MR. FOLTZ: There you go.

22 MR. PETERS: Yeah.

23 MR. FOLTZ: September 14 is the next meeting.
24 All right.

25 I'll make a motion to adjourn, President

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Peters.

MR. PETERS: Do we have a second?

MRS. WERREN: So moved. Werren.

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

("Aye" in unison.)

MR. PETERS: Opposed? Motion carries. We are adjourned. Have a great evening.

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(Meeting adjourned at 8:49 p.m.)

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Attest:

Benjamin R. Young
Benjamin R. Young
Clerk of Council

Daniel Jeff Peters
City Council President

C E R T I F I C A T E

STATE OF OHIO)
)SS
 STARK COUNTY)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, on this 7th day of September, 2020.

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