

MINUTES OF THE MEETING FEBRUARY 5, 2024

Recording begins as follows:

PRESIDENT BATES AYLWARD: ...to vibrate. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

11 COUNCIL MEMBERS PRESENT: (JOHN MARIOL, JAMES BABCOCK, LOUIS GIAVASIS, CRYSTAL SMITH, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL & RICHARD SACCO)

ELEVEN COUNCIL MEMBERS PRESENT (MEMBER MORRIS ABSENT)

CLERK WOOD: Eleven present, one absent, Madam President.

EXCUSING MEMBERS

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we excuse Member Morris from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: Are there any remarks? ...It's been moved and seconded. Hearing no remarks, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Member Morris is excused from this evening's meeting. Tonight's invocation will be given by Ward 2 Council Member, Brenda Kimbrough. If you'll all please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on February 5, 2024 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 2 Council Member, Brenda Kimbrough. The Pledge of Allegiance was led by President Bates Aylward.

PRESIDENT BATES AYLWARD: Thank you, Member Kimbrough.

MEMBER HAWK: Very nice.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT BATES-AYLWARD: We are now under Agenda Corrections and Changes. Leader Mariol.

MEMBER MARIOL: Madam President, I move we suspend Rule 22A to add second readings Ordinance 17 through 31 to this evening's agenda.

MEMBER BABCOCK: Second.

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PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to add second readings of Ordinances 17 through 31 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinances 17 through 31 are now a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT BATES AYLWARD: We are now under Public Hearings, and we have none for this evening.

OLD BUSINESS

PRESIDENT BATES AYLWARD: We are now under Old Business, and there is no Old Business for this evening.

PUBLIC SPEAKS

PRESIDENT BATES AYLWARD: We are now under Public Speaks and we have two speakers this evening. Our first speaker is Miss Kim Bell. Miss Bell, if you could step forward and please give us your name and residential address.

KIM BELL: Yes. Kimberly Bell, 1733 Morris Avenue. Okay, I want to continue with my talk for the last couple of meetings, and I gave you guys... it's another issue, you know, being that I'm making more money. If you could see the... uh, they... how they lowered my food stamp from 291 to \$23.00. I bought a pack of hamburger and a pack of butter for \$23.00. So, imagine if this happened with a family of three, and their food stamps are \$700.00 and they get a job. They lower the food stamps to \$200.00 because they make \$1200.00 a month, which out of the \$1200.00 you gotta pay the rent, you gotta pay the utilities, you gotta pay the car note, you gotta get gas to go back and forth to work. And like I said, I have you guy... I... I... when I co... when I bring you guys... uh, some... some information, it's to show you what I'm talking about... to give you an idea what I'm talking about. But when... when... when Ronald Reg... Reagan stopped cash assistance, I don't think he... he... he created it for us to fail. I mean, he created... when he stopped Welfare benefits, the cash assistance... he created it so to learn... make us work for a living, to teach our... our kids the dynamics of when you work, you can buy your own... wha... whatever. But, we... we gotta go to Congress. They probably don't know this. Ronald Reagan gave us the blueprint, gave Congress and you-all the blueprint. But the blueprint is made for you to change... to fix it and adjust it to fit lifestyles for people with low income. So you gotta go to Congress. They don't... they probably don't even know this... this goes on because the people below them does it, and I'm trying to go through the chain of command and bring it to you, Mayor and Council, and... and then you take it to the State Reps, and then they take it to Congress and say yeah, let's... I want to hear what Miss Bell has to say. Well, I'm trying to go through it by doing the chain of command and bringing it to my Council Members, who we voted for you-all to do this... to do this kind of... to bring this to you so you can do some research and figure out why this is happening to us. Mr. Fisher, you... thank you for bringing this to Corey Minor's attention. So we need to bring it to Emilia and... and whoever took Thomas West's place when he... take it to them. I'm bringing it to you, now you take it to them, and then they take it to Congress and say yeah, let's hear this out. I mean, we got these migrants coming here taking up all the stuff we have been here for, and we can't get... \$23.00 is what I got, \$23.00. The other lady I see got \$11.00, her and her husband,

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cause their... their Social Security increase, \$11.00. This is... this is... this is very... this is not right... (*buzzer sounds*)... it's wrong.

PRESIDENT BATES AYLWARD: I am sorry. Time is up. Thank you, Miss Bell.

KIM BELL: Oh, I want to... and I... in order to help with this kind of problem, we need to start going to these non profit organizations like Walking with a Purpose so they can help family members too. Thank you.

PRESIDENT BATES AYLWARD: Thank you. Our next speaker is Richard Manson. If you could please step forward and give us your name and residential address, Mr. Manson.

RICHARD MANSON: Yes, can you hear me okay?

MEMBER BABCOCK: Pick up the mic. Pick up the mic.

PRESIDENT BATES AYLWARD: You may have to so we can hear you.

RICHARD MANSON: I think this thing was designed for children...

MEMBER BABCOCK: There you go.

RICHARD MANSON: ...cause it's really low. Anyway...

PRESIDENT BATES AYLWARD: Yes.

RICHARD MANSON: Yeah, my name's Richard Manson, 601 High Avenue SW. Uh... I'm just again... uh, talking about the same point I talked about last time which was... uh, the Building Department (*inaudible*) fine of ... uh, the building permit I put in that I know was not late. Um... which has delayed getting work... my... my house should have been sided and done last summer. I... I talked to Jason outside here on the steps in the summer... I know he probably remembers... uh, me telling him that it... it wouldn't take much time, it would get done by Fall. Well, I believe it was May... uh, they put a stop work order on my property and... uh, again, the previous Building Inspector was Gary Baker years ago, and he told me when I got the roof permit... cause Jason told me to put a roof on my house, which I did, and I got the siding permit on that same building permit, and he said it was good until I did it, there was no expiration date. Well, now there's expiration dates apparently, so they're saying it was late. I sent... I had 30 days to send that building permit in. I sent it in on the 26th day, that gave me what, five days? Sixth day it would be late. I sent myself five letters in the mail. Now, I'm told by the post office all our mail goes up to Akron now cause they got a machine up there, they cancel it and they send it back. It goes up in the morning, they cancel it, put it back on a truck, comes back in the afternoon. That's just one day. Gets back in this post office and then it goes out the next day. I had... the five letters I sent myself, I had most of them come back in three days. I had one come back in four days because I... I mailed it on Friday and that was over a weekend. So, none of them were more than five days. I think that's proof enough that my building permit was not late. And I would like to see proof of that building permit being late if I'm... if I got to pay that fine. And... and that's it. I... I sent... uh, the Mayor asked me to send him an email on this matter, which I did... um, I don't know. I don't know if you can say if you got it or you remember getting... yeah. I... I sent it out to the wrong address Monday... last Monday, last week. I put o-h-i-i instead of o-h-i-o. It was my mistake, but I caught that on Friday and I sent it back out, so... um, if you'd check into that, I'd appreciate it, like you said, and see... see if... uh, that could be checked into because

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I want to... I need to get this done this Spring. Be done with the... the exterior. Uh... I did the roof, I have a porch roof and I have the siding...

PRESIDENT BATES AYLWARD: You... you have 25 seconds.

RICHARD MANSON: The... two... two sides of the house have a lot of siding on them. So... uh, and that's it. I'm... I'm... uh, I'm patient, but I want to get this house on the market. I want to sell it this year, which means getting everything done. And so far I've been delayed... I've been working with the Building Department... I been... I been trying to... to... for them to tell me why it was late, and I... I just have got nothing from them. So that... that's all. I been frustrated. (*Buzzer sounds*) Thank you.

PRESIDENT BATES AYLWARD: Thank you.

COMMUNICATIONS

PRESIDENT BATES AYLWARD: We are now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS, WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY, IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 5, 2024.

1. STATEMENT OF CASH POSITION DATED 1/31/24. – AUDITOR MALLONN
2. REQ TO ESTABLISH INTERIOR RENOVATION PROGRAM (IRP); AUTH ALL NECESSARY GRANT AGRMTS FOR IRP; AMEND APPROP O#227/2023; EMERGENCY (SUPP APPROP TO GENERAL GOV'T SUPPORT ADMIN). – ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
3. REQ AUTH TO PAY MORAL OB FOR STREET LIGHT REPLACEMENT PROJ ON MARKET AVE; EMERGENCY. – FINANCE DIRECTOR CROUSE
4. AMEND APPROP O#227/2023 (SUPP APPROP IN AIR POLLUTION FUND). – HEALTH COMMISSIONER ARCHER
5. REQ NEW D1 PERMIT FOR ICIE SKATES LLC, DBA ICIE SKATES WINE & JAZZ STA, 846 MARKET AVE S, WARD 4. – LIQUOR CONTROL DIV (OH)
6. REQ NEW D5J PERMIT FOR DIPIETRO ENTERPRISES 6, INC. DBA THE PIZZA OVEN HOFV, 2101 HOF WAY NW, STA 8A, WARD 7. – LIQUOR CONTROL DIV (OH)
7. REQ APPT OF MR. JEFF PECENKO TO CANTON CONSTRUCTION BOARD COMMENCING 2/12/24 TO 12/31/25. – MAYOR SHERER
8. REQ APPT OF MS. KIMBERLY KINGSBURY TO BOARD OF HEALTH COMMENCING 2/12/24 TO 3/31/27. – MAYOR SHERER
9. REQ APPT OF MR. JR RINALDI AS PUBLIC APPOINTEE TO STARK COUNTY REGIONAL PLANNING COMMISSION COMMENCING 2/12/24 TO 12/31/25. – MAYOR SHERER
10. AUTH COUNCIL CLERK TO CERTIFY LIST OF UNPAID AND DELINQUENT CHARGES FOR BOARD UP/CLEAN UP/DEMOLITION SERVS TO STARK COUNTY AUDITOR; EMERGENCY. – SAFETY DIRECTOR PERRY

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11. REQ CONTRACT FOR DEMOLITION OF 3110 GLEN PL NW, WARD 3; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
12. REQ PURCHASE OF VEHICLES FOR THE SANITATION DEPT; EMERGENCY. – SERVICE DIRECTOR HIGHMAN

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT BATES AYLWARD: We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #13.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #13 THROUGH #16 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO COMPENSATE STARK ECONOMIC DEVELOPMENT BOARD UP TO \$40,000.00 FOR GRANT WRITING PROFESSIONAL SERVICES AND TO ENTER INTO ALL NECESSARY AGREEMENTS FOR THE SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#14. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 175/2023 BY CHANGING THE NAME FROM “HOWMET AEROSPACE” TO “RMI TITANIUM COMPANY, LLC”; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#15. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 159, DOWNTOWN REDEVELOPMENT/INNOVATION DISTRICT BOARD; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#16. (1ST RDG) **ADOPTED AS ORDINANCE NO. 14/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$20,000.00 IN GRANT FUNDS FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE 2022 PROJECT SAFE NEIGHBORHOOD GRANT; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO UTILIZE THE FUNDS FOR OVERTIME ENFORCEMENT TO INCREASE INTELLIGENCE SHARING AND COORDINATED RESPONSE EFFORTS; AUTHORIZING THE AUDITOR TO RENAME FUND 2770 BYRNE MEMORIAL JUSTICE GRANT FY 2016 TO 2770 OCJS 2022 PROJECT SAFE NEIGHBORHOOD GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 227/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$20,000.00 SUPP APPROP FR UNAPPROP BAL OF 2770 OCJS 2022 PROJECT SAFE NEIGHBORHOOD GRANT FUND TO 2770 102001 POLICE ADMIN – OTHER; \$20,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – ADV OUT; \$20,000.00

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INTER-FUND ADV FR 1001 102001 – ADVANCE OUT TO OTHER FUND TO 2770
102001 ADVANCE IN FROM OTHER FUND)

Referred to Finance Committee

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you. At this time, the Chair would declare an in-house recess for the Finance Committee to meet in regard to Ordinance 16 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:11 PM FOR THE FINANCE COMMITTEE TO MEET IN REGARDS TO O#16; RECONVENED AT 7:14 PM)

PRESIDENT BATES AYLWARD: Council is reconvening after the recess, Leader.

MEMBER MARIOL: Madam President, I move we suspend Rule 22A to add Ordinance 16 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to place Ordinance 16 back on this evening's agenda... or agenda. Are there any remarks? ...Hearing none, roll call vote, please Madam Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance 16 is a legal part of your agenda. Leader.

MEMBER MARIOL: Madam President, I move we suspend statutory Rules on Ordinance #16.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend the Statutory Rules on Ordinance 16. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. You've heard the three readings, Leader.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #16.

MEMBER BABCOCK: Second.

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PRESIDENT BATES AYLWARD: It's been moved and seconded that you adopt Ordinance #16. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

#16 ADOPTED AS ORDINANCE NO. 14/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #16 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT BATES AYLWARD: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #17.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #17 THROUGH #31 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#17. (2ND RDG) AN ORDINANCE AUTHORIZING THE FUNDING OF CANTON COMMUNITY IMPROVEMENT CORPORATION FOR A TWO-YEAR PERIOD UTILIZING GENERAL FUND DOLLARS IN AN AMOUNT OF \$50,000 PER YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#18. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 227/2023; AND DECLARING THE SAME TO BE EMERGENCY (SUPP APPROP, INTER-FUND ADV & INTER-FUND REPAYMENT TO POLICE ADMIN)
- O#19. (2ND RDG) AN ORDINANCE AMENDING SECTION 1305.01 MEMBERS; APPOINTMENT, QUALIFICATIONS AND VACANCY OF CHAPTER 1305, BOARD OF BUILDING APPEALS
- O#20. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PARTS OF LOTS 118, 119, AND 120; AND DECLARING THE SAME TO BE AN EMERGENCY (DCLB CORP, 200 BLK WALNUT AVE NE, WARD 2)
- O#21. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUTLOT 573 AND PARTS OF LOTS 23588-23590 AND 35138; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON CITY SCHOOLS, 2525 19TH ST NE, WARD 6)
- O#22. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOT 1495 AND LOTS 42485 AND 42486; AND DECLARING THE SAME TO BE AN EMERGENCY (CAROLANN COPE & CLYDE MILLER, 3715 HARMONT AVE NE, WARD 6)

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- O#23. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 9022 AND 9023; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY 412 & 414 WATSON PL SE, WARD 4)
- O#24. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 24342 AND 24383; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY 2340 21ST ST NE WARD 6)
- O#25. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 4994 AND 4995; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY 909 PROSPECT AVE SW, WARD 5)
- O#26. (2ND RDG) AN ORDINANCE AUTHORIZING THE RESURFACING OF SR43D (WALNUT/MARKET AVE.) FROM 12TH ST. NE TO 19TH ST, NW, SR 43 (MARKET AVE) FROM 19TH ST NW TO JUST SOUTH OF THE N CORP LIMIT (55TH ST. NW) AND SR 172 FROM THE W CORP LIMIT TO WERTZ AVE NW AND SMITH AVE NW TO IR 77 WITHIN CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#27. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF STARK COUNTY TO REPLACE CITY WATER LINES DURING THE STA-CR-225 PERRY DRIVE NW WIDENING AND WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#28. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO SUBMIT ANY SUBSTANTIAL AMENDMENT TO THE CITY'S 2023 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURES OF CDBG AND ESG PROGRAM FUNDS; AND ENTER ALL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY AND ALL PROCUREMENT PROCESSES AUTHORIZED IN THE CODIFIED ORDINANCES OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#29. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OF DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) $\frac{3}{4}$ TON PICKUP TRUCK AND ONE (1) ONE LARGE DUMP TRUCK; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#30. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) FULL SIZE

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CARGO VA, TWO (2) 4X4 PICKUP TRUCKS, TWO (2) CARGO BOXES, ONE (1) VACTOR WITH TRAILER, AND ONE (1) FINISH MOWER WITH ACCESSORIES AND A BRUSH HOG; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY

O#31. (2ND RDG) AN ORDINANCE AUTHORIZING AUDITOR TO OPEN ALL PURCHASE ORDERS AND PAY ALL MORAL OBLIGATIONS NEEDED TO MOVE \$101,202.40 OF 4568 FEDERAL GRANT FUNDS AND \$101,202.40 OF 2175 COMPREHENSIVE PLAN FUNDS FOR THE 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, GP, 1144, PID 90465; AMENDING APPROPRIATION ORDINANCE NO. 227/2023; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT BATES AYLWARD: We are now under Ordinances and Formal Resolutions for their Third Final Reading and vote. Madam Clerk, would you please begin with Ordinance #32.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #32 THROUGH #36 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#32. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 15/2024** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES, VILLAGES AND ENTITY TO PROVIDE LEGAL REPRESENTATION IN THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY (E. CANTON, E. SPARTA, HARTVILLE, LOUISVILLE, MAGNOLIA, N. CANTON, WAYNESBURG AND CLEVELAND CLINIC - MERCY)

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #32.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to adopt Ordinance 32. Are there any remarks under this Ordinance? Leader.

MEMBER MARIOL: Madam President, I move we amend Ordinance #32 per the copy that all Council Members have in front of them.

MEMBER BABCOCK: Second.

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PRESIDENT BATES AYLWARD: It's been moved and seconded to amend Ordinance 32 per the copy before each of you. Are there any remarks under this amended Ordinance? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it. The motion carries. Leader.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #32, as amended.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: As amended, yes.

MEMBER MARIOL: As amended.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 32 by amending Section 1 to remove "and the Cleveland Clinic" and by removing "(h) Cleveland Clinic \$13,090.00" from Section 3..

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt thirty... Ordinance 32 as amended. Are there any remarks under this Ordinance as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

#32 ADOPTED AS AMENDED AS ORDINANCE NO. 15/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #32 as amended has been adopted. Ordinance #33 please, Madam Clerk.

O#33. (3rd RDG) **ADOPTED AS ORDINANCE NO. 16/2024** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SERVICES TO INDIGENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #33.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to adopt Ordinance #33. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Madam President.

#33 ADOPTED AS ORDINANCE NO. 16/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #33 is adopted. Ordinance #34, please.

O#34. (3rd RDG) **ADOPTED AS ORDINANCE NO. 17/2024** AN ORDINANCE RE-ESTABLISHING THE STOREFRONT REINVESTMENT PROGRAM (“SRP”); AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SRP GRANT AGREEMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$200,000.00 OF ISSUE 13 COMPREHENSIVE PLAN FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #34.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It’s moved and seconded to adopt Ordinance #34. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

#34 ADOPTED AS ORDINANCE NO. 17/2024

PRESIDENT BATES AYLWARD: The motion carries and Ordinance #34 is adopted. Ordinance #35, please.

O#35. (3RD RDG) **ADOPTED AS ORDINANCE NO. 18/2024** AN ORDINANCE RE-ESTABLISHING THE PUBLIC REALM REINVESTMENT PROGRAM (“PRRP”); AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACTS WITH APPROVED PUBLIC REALM BUSINESSES IN A TOTAL AMOUNT NOT TO EXCEED \$100,000.00 OF ISSUE 13 COMPREHENSIVE PLAN FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #35.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It’s moved and seconded to adopt Ordinance #35. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Madam President.

#35 ADOPTED AS ORDINANCE NO. 18/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #35 is adopted. Ordinance #36, please.

O#36. (3RD RDG) **ADOPTED AS ORDINANCE NO. 19/2024** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO THE CHRIST FOUNDATION; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AGREEMENTS NECESSARY FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Leader.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #36.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to adopt Ordinance #36. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

#36 ADOPTED AS ORDINANCE NO. 19/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #36 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT BATES AYLWARD: Now we are under the Announcement of Committee Meetings. Our next meeting date is February the 12th, 2024 and Committee Meetings will be starting at 6:30 PM. Finance.

MEMBER GIAVASIS: Madam President... uh, Finance will meet at 6:30 on February 12th.

PRESIDENT BATES AYLWARD: And Community & Economic Development.

MEMBER HAWK: Madam President, Community & Economic Development will meet February 12th the same time. Thank you.

PRESIDENT BATES AYLWARD: Thank you very much.

MISCELLANEOUS BUSINESS

PRESIDENT BATES AYLWARD: We are now under Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER HALL: Madam President.

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PRESIDENT BATES AYLWARD: Yes, Member Hall.

MEMBER HALL: Uh... at this time I'm going to announce that February 16th will be my last day on City Council. It... it has come time for me to focus on my next adventure as running for Stark County Commissioner. Um... and... and I have learned a whole lot being here on this Council seat, and I think at this time it is the perfect time to take some of the things I've learned from mainly the Administration, other Council Members, to the Stark County level so we can all move forward together. But with this, I also would love for Council to... uh, accept my recommendation to fill my seat, and that would be Mr. Nate Cook who's sitting here in the audience. And at this time I would hope you guys would all accept that and... uh, stand behind him in becoming the next 6th Ward Councilman. Thank you.

PRESIDENT BATES AYLWARD: Well, I'm sure there'll be some other comments, but I will miss you very much, and I'm excited for you to go on to your adventure. But as I told you, I wish we could keep you here too. So...

MEMBER GIAVASIS: Madam President.

PRESIDENT BATES AYLWARD: Yes.

MEMBER GIAVASIS: Mr. Hall... (*applauds*). (*Applause*)

PRESIDENT BATES AYLWARD: Is there any further Miscellaneous Business?

MAYOR SHERER: Madam President.

PRESIDENT BATES AYLWARD: Yes, Mr. Mayor.

MAYOR SHERER: Kevin, I just want to wish you the best. It's been an honor serving with you especially my time on Council, and you'll have my full support.

MEMBER HALL: I appreciate it.

MAYOR SHERER: Yeah. Wish you the best.

PRESIDENT BATES AYLWARD: Would anyone else like to speak on Mr. Hall's leaving us? (*Chuckles*)

MEMBER BABCOCK: He's here next week, isn't he?

PRESIDENT BATES AYLWARD: Yes, yes.

MEMBER HALL: What?

MEMBER GIAVASIS: We'll roast you next week (*chuckles*).

PRESIDENT BATES AYLWARD: There could... there... there could be a roast, yes. Yes, Member Fisher.

MEMBER FISHER: What took you so long?

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PRESIDENT BATES AYLWARD: Awe... (*Laughter*)

MEMBER BABCOCK: Madam President.

PRESIDENT BATES AYLWARD: Yes, Mr. Babcock.

MEMBER BABCOCK: I told him when he got married, he lost his freedom and he lost his Council seat. (*Laughter*) But anyhow, Kevin, good luck, and we're sup...

MEMBER GIAVASIS: Some things are worth...

MEMBER BABCOCK: We're supporting you, Kevin.

MEMBER GIAVASIS: Some things, Kevin, are worth more than that seat.

PRESIDENT BATES AYLWARD: Ah, we will miss you. Okay, is there any further Miscellaneous Business for this evening?

MEMBER GIAVASIS: Yes, madam President. I have one thing to say. I...

PRESIDENT BATES AYLWARD: Yes.

MEMBER GIAVASIS: I've spoke to the Majority Leader and the Assistant Majority Leader, but I think this is something that Council going forward... we have to speak out when somebody in the audience talks cause I know it's been unusual, at least since I've been on Council, for us not to respond and ask for the person to meet after the meeting. But the gentleman that spoke is at least the seventh or eighth person, if not more, in the last two weeks that spoke to me about mailing in something, whether it's regard to a permit, their taxes, whatever, and them being charged late fees. When we mail in our Federal taxes, as long as it's postmarked before the due date, it's not late. And I think this is something that Council really needs to take a strong look at because our residents are being charged late fees for something that's no cause of their own. They're putting something in a mailbox and because it may take three or four days to get here, they should not be charged a late fee. And we need to look at something that... if we're gonna pass a rule or whether it's some type of ordinance or something that says as long as that document or that envelope is postmarked before the due date, there's not to be a late fee, because I've been getting a lot of these phone calls and I've had a lot of people starting to come up to me, especially it being tax time, and they're worried about being charged late fees because of the post office, not because of their lack of putting it in the mailbox when they should have.

PRESIDENT BATES AYLWARD: Mr. McEnaney.

DEPUTY TREASURER MCENANEY: Madam President.

PRESIDENT BATES AYLWARD: Yes.

DEPUTY TREASURER MCENANEY: Uh... the postmark is the... uh, benchmark for whether or not a tax return is considered delinquent. We keep every envelope of every document that's mailed to us, so we have the documentation of the postmark. If it's an electronic filing, there will be multiple date marks with that electronic filing, and we go back to the first.

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MEMBER GIAVASIS: Well, I don't disagree. That might be the case with the... with the... uh, Treasurer's Office, but that's not always the case with the Building Department, especially when it comes to permits and when they're told they have to do something by a certain day... a certain date, and then they're being charged late fees. I just think there needs to be a one rule for all departments that when that envelope is postmarked, and if it's before the due date, there should be no late charge letter sent to that resident.

SAFETY DIRECTOR PERRY: Madam President... um, I... I was gonna respond and say that what Mr. Manson was ferring... was referring to was the Building/Code Department, and I will look at that and see what is transpiring. What normally happens is I receive a call... um, asking for either a waiver or an extension, and they're always usually granted, but I will work with the Building Department to assess that.

MEMBER GIAVASIS: Thank you. But I think Council needs to look at some type of ordinance that states that the postmark is the date that it was mailed, and regardless of it gets here in a week or ten days after that, if it's postmarked on time, it's on time.

PRESIDENT BATES AYLWARD: Thank you, Member Giavasis. Yes, Member Fisher.

MEMBER FISHER: Okay... um, you know, last week I had an issue where... uh, somebody was cited for vehicles parked in the grass. The letter states you have within ten days to comply. It took eight days for them to get the letter. So that's something... and I've spoken with... uh, Director Perry and a couple other people about it. But that's... that's something we need to clean up also. I mean... and... and I get, you know, you... if they call in, if they try to comply, what have you, we'll work with them. But if you're gonna tell them they have ten days to comply, maybe don't take eight days for them to get the letter.

MEMBER GIAVASIS: And we have to take that into consideration cause we or they cannot control the postal service.

PRESIDENT BATES AYLWARD: How true. Is there any other Miscellaneous Business that anyone would like to speak on? Okay. Leader Mariol.

MEMBER MARIOL: Madam President, before we adjourn, I just want to say that I know next week we'll all be saying some more to Member Hall... uh, but I know that we've all enjoyed having him down here, and I did want to say this one thing. Kim, thank you for coming in and speaking on that. Um... there is something cruel that our laws in this country pun... penalize somebody as they do better. But with that, I think it's important to point something out. In 2023, there was a debate over raising the debt limit. Congressional Republicans held it up and almost have United States default on the United States debt, all in an effort to restrict SNAP benefits. So, there is elections... Federal elections in 2024, and we can make our voice known that those policies are unacceptable in November. So with that, Madam President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adjourn. Madam Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

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PRESIDENT BATES AYLWARD: This meeting is adjourned. Thank you all for coming.

ADJOURNMENT TIME: 7:35 PM

ATTEST: February 7, 2024

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

KRISTEN BATES AYLWARD
PRESIDENT