

MINUTES OF THE MEETING FEBRUARY 26, 2024

Recording begins as follows:

PRESIDENT BATES AYLWARD: ...ladies and gentlemen, and welcome to Canton City Council. If everyone would please turn your phones 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, RICHARD SACCO & FRANK MORRIS)

CLERK WOOD: Eleven present, Madam President.

PRESIDENT BATES AYLWARD: Yes. Thank you, Madam Clerk. And I will not be moving to excuse Member Hall as he has resigned to... uh, move on to other things. Tonight's invocation was to be given by Ward 4 Council Member, Chris Smith. Um... she will be assigning that to someone who will be approaching the podium. But if you will all please stand and remain standing for the Pledge of Allegiance after the invocation.

MEMBER SMITH: Yes. Madam President, I would like for Pastor Sherman Martin from the Union Baptist Church, which is located in Ward 4... if you would approach the podium there, Pastor, and just give us a quick invocation and prayer. We appreciate it. Thank you.

The regular meeting of Canton City Council was held on February 26, 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 Pastor Sherman Martin. The Pledge of Allegiance was led by President Bates Aylward.

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 #29 through 33.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 29 through 33 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 29 through 33 are a legal part of your agenda.

PUBLIC HEARINGS

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

MINUTES OF THE MEETING FEBRUARY 26, 2024**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 nine speakers this evening. Um... I'm gonna caution everyone because we do have quite a few speakers, which is all great... you know, public power... um, that you have three minutes to speak on your topic. And... uh, so our first speaker... and I'm not going to pronounce this correctly I don't think, but Linjun Xu (*pronounced Lin-june Zoo*) perhaps? And you can correct me, sir.

LINJUN XU: Hello. How you guys doin'?

PRESIDENT BATES AYLWARD: And if you could speak into the mic. If you have to pick it up, feel free, and give us your name and residential address.

LINJUN XU: So my residential address is 150 Hickory Road, H-I-C-K-O-R-Y, Akron, Ohio 44333. Uh... my legal name is spelled L-I-N-J-U-N. Last name is spelled X-U. Um... the reason I'm speaking today is... um, I received a zoning as well as City of Canton maintenance violation I believe around April or May... or March of last year. And when I first received... um, I did not know this and I live in Summit County and so let me give an example of what Summit County would do, and I understand Canton may have a different procedure. Um... I asked a city... Akron City inspector, and he mentioned that the first you get two 30 day notices, the first 30 day and then you receive another 30 day notice after that, if the owner has intention to repair. Like he says, either by pho... or phone call or by email, he says hey, I would like to fix it, then it's up to three months of... he will be granted extension. And that's the general procedure before the case is transferred to the legal department. Uh... my situation with City of Canton is I did receive the first 30 day notice and I had some questions because it did not have specific details, and... um, for the second 30 day notice, there's a deadline... um, and I did not receive any clarification within the 30 day notice through email, and I leave voice mail to Building Department and sometimes I would not get a clarification, like I do not receive a call back. Anyways, what I'm here for... and I only have a minute and 20 seconds left... is the case transferred to legal without... without req... um, permitting my extension. I asked for extension through email. I did not... I was not granted the extension, and after I received the violation letters from the Building Department, as well as Zoning... um, I had questions myself and I asked for clarification and most of those emails were not replied. And I asked the City of Akron Building Department for their standard general procedure, and what they mentioned to me was that typically emails are replied within two to three business days. And so I contacted the Ohio in Columbus Board of Zo... um, Board of Building Code and Laura mentioned... and I have the letter right here... mentioned that this... uh, my current situation does not have anything to do with... um, it's not managed by Columbus, by the Building Board, and it has to do with... uh, she said it's not...

PRESIDENT BATES AYLWARD: Twenty-four... twenty-four seconds, sir.

LINJUN XU: Oh, sorry. Uh... it's not... it's... I have to contact the City of Canton or the Law Department for this issue. So, it's... the case is closed now, and I'm just wondering because I never really had an opportunity for the extension and also, I don't receive clarifications when I ask for clarifications within two to three business days. It was like frickin' ten business days.... (*buzzer sounds*)... and (*inaudible*).

PRESIDENT BATES AYLWARD: Thank you, sir. Alright, our second speaker is Edward... I believe Dodson? And if you could approach and give us your name and residential address, sir.

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EDWARD DODSON: My name is Edward Dodson, it's spelled E-D-W-A-R-D, D as if David-O-D as in David-S-O-N. I'm not giving as my address out of fear of retaliation against Canton PD. And Miss Perry over here. It's good to see that you're so on after the crushing you had done three years ago.

PRESIDENT BATES AYLWARD: Excuse me, sir. Um... we don't address individual people here...

EDWARD DODSON: I have a right...

PRESIDENT BATES AYLWARD: Just speak... yeah, but you...

EDWARD DODSON: ...at freedom of speech.

PRESIDENT BATES AYLWARD: No, you may...

EDWARD DODSON: Kee... please, don't interrupt my time. I do appreciate it.

PRESIDENT BATES AYLWARD: I... I will interrupt you. You can address me, the Chair. Continue.

EDWARD DODSON: Okay. I'm allowed to speak about anyone I want, by the way. Just to let you know, I'm about to set up a protest again... one of the biggest protests that you ever have mentioned and seen here in Suf... in Stark County any way, shape or form. So you guys really want to deal with this? We can deal with it on the streets, in a protesting, and I will also make sure your officers are very very uncomfortable to the point I will record them, I will report it, make sure I (*inaudible*), whatever I have to do. I am not playing with this corruption here in City of Canton anymore. Give it up or get off the bench. Do you guys all understand, we will not take it no more. Thank you.

PRESIDENT BATES AYLWARD: Thank you, sir. Our third speaker is John Cameron. Mr. Cameron, if you would approach and give us your name and residential address. (*Buzzer sounds*) Thank you, sir. I'm sorry (*chuckles*)

JOHN CAMERON: Hello, my name is John...

PRESIDENT BATES AYLWARD: Can you start his time? Wait a minute here. Just give us a second, we gotta start your time over. Technology is so lovely. Okay. Computer's are great. Okay, there we go. Sorry about that, sir. Go ahead.

JOHN CAMERON: Okay. My name is John Cameron. I live at 1373 South Morgan in Alliance, Ohio. (*Inaudible*)

UNIDENTIFIED VOICE: We can't hear you.

JOHN CAMERON: You can't here me? How about now? Okay.

UNIDENTIFIED VOICE: U-mmm.

PRESIDENT BATES AYLWARD: Yes, much better.

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JOHN CAMERON: Uh... as a Muslim and an Air Force vet and member of human society, I come before you all with an apparent concern, which is as a caring human being, all hostie... all these hostilities that we are having committed in Gaza we have seen over and over again... uh, we're calling for you to come together and... and come to a resolution to these hostilities. As concerned citizens who live, worship and invest in the City of Canton, we're asking for you to consider fully this resolution, so it can be made known in Washington that a large section of our population, Muslim, Christian and Jew alike, feel that too much is being given towards destruction and war and not enough to a truly sustained peace. Over the past few weeks I've had the opportunity to speak to several members of... on the Council here, and I know that there's concerns that you might not be able to shake the movers and shakers in Washington. There's also conter... concerns that... uh, you might not know enough about this situation. Also, others might feel that what is happening is... uh, a deserved response or just collateral damage to the war that is being waged over there. However, we should be serious in looking in... to the fact that over 30,000 Gazas have died, two-thirds over which... of which are children and women. Um... and our country is supporting this. This is a genocide, people. This is a genocide no matter how we want to frame it. People are dying. Having these human tec... humanitarian concerns and calling for a cease... cease fire shouldn't be something we just push aside. We've had in our past... uh, moments like Nat Turner's rebellion where our country, no matter what had happened before, came together and desired peace at this level all the way up and changed what was slavery and humanitarian conditions on African Americans. So we know that this can happen. Your words and ideals matter. Your role as local authorities can push this matter. Um... we here in this community...

PRESIDENT BATES AYLWARD: Twenty-five seconds.

JOHN CAMERON: ...know that we have to rely upon you guys. You have commitments to the community to do so. Akron and Toledo both have already called for cease fire resolutions with the Federal government. With this good people of Canton, Ohio, we urge you to seriously consider this request for a cease fire and end hostilities in Gaza, and we ask that you do so (*buzzer sounds*)... (*inaudible*)... to the world again.

PRESIDENT BATES AYLWARD: Thank you, sir. (*Applause*) Our fourth speaker is Brion Johnson. If you would also approach, sir, and give your name and residential address. Thank you.

BRION JOHNSON: Good evening, ladies and gentlemen. My name is Brion Johnson. I am from Alliance, Ohio, but I'm also a member of Masjid Alrahman here in Canton, Ohio. I too come to speak on behalf of the Palestinians suffering currently in Gaza. My brother spoke on historical perspectives and some sociological perspectives. I would like to put a face on this. This young lady's name is (*pronounces it "Hindy Ra-jah"*). On the tenth of February she was trying to flee a war zone with her family. She died on the phone begging for help, urinating on herself in fear in a hail of bullets. I know these details because it was recorded and it's available on line for everybody to see. This young lady, her name is (*pronounces it "Cedra A-soon-ah"*). On the 14th of February while many of us was watching the Super Bowl, myself included, she was in Rafah, a safe zone declared by the Army, with her family. While we were watching the Super Bowl, a missile struck the area where she and her family were residing... hiding. The end result of which was her body thrown up against a far wall, hanging from a piece of steel stud sticking out from the wall, all her limbs gone, but her left hand. I put a human face on this because many of you have daughters, granddaughters, nieces. I'm asking, find it within your heart to scream with the rest of the world, cease fire. Cease fire. Thirty-eight thousand lives and counting are gone. Please consider it, ladies and gentlemen.

PRESIDENT BATES AYLWARD: Thank you very much, sir. (*Applause*) Okay. We're just counting down that time. Out next speaker is going to be Ahmed Cheema, if I'm saying that correctly, sir. If you will approach and just give us a second to reset the clock. (*Buzzer sounds*) Here we go. Uh-oh, what is it doing?

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(Buzzer sounds) I'm gonna bring my timer in next time. *(Chuckles)* *(Brief pause)* *(Inaudible voices)* I know, we might just do that, but I'd like them to be able to see their time, if possible, because I think that's fair. Or we'll just time it on the phone. Okay. Well, we're just gonna time Mr. Cheema on our phone up here while Tech works on it. Go ahead, sir. I'm sorry about that. And thank you.

AHMED CHEEMA: Respected City Council Members and fellow citizens, alsalam ealaykum, peace be upon you. My name is Ahmed Cheema, resident of 55... 5155 Foxchase Ave NW, Canton. I'm here as well to bring the genocide in Gaza to everyone's attention. I understand some of us may be thinking, why do we care about loss of life in Gaza when there is gun violence, there's senseless killing of citizens right here at home. Uh... the point to ponder here is that our U.N. representatives are standing in the way of the U.N. Security Council passing a resolution that stops these hostilities, calls for a cease fire and return of hostages and prisoners on both sides. Uh... U.S. has vetoed this resolution not once, but three times. Uh... can you even imagine yourself in... in the shoes of... uh, Linda Thomas Greenfield, our U.N. Representative? I... I cannot because I have no way. I... I cannot imagine how she sleeps at night knowing that the words that are coming out of her mouth at the time... you know, there's dozens of people getting killed. Brutally killed. Uh... in the last U.N. Security Council meeting, 13 members... 13 other countries were in favor of the cease fire... um... with the only exception being our U.S. Representative, Ellen Leibee, spokesperson for the Israeli government, recently said that Israel is committed to three... um, achieving three goals of this war on Gaza. Number one, destroying Hamas. Number two, freeing the hostages. Number three... please pay attention to this one... these words, making sure that Gaza can never again pose a threat to the people of Israel. He's not naming a group, he's not naming anything. Gaza... the living... the... the things that make up Gaza. The earth that makes up Gaza is clear from the words and the action of the IDF that Israeli regime wants to obliterate everyone and everything there. If you follow the news, you don't have to listen to me. It... it's clear. Over 30,000 killed... you know...

PRESIDENT BATES AYLWARD: Twe... twenty more seconds, I'm sorry.

AHMED CHEEMA: Please think about this. And it... time for silence is over. I implore you, City Council Members, to be the voice of the voiceless, be the beacon of hope for the defenseless. Take a stand for humanity and let the Council be remembered for its courage and compassion. Thank you.

PRESIDENT BATES AYLWARD: Thank you, sir. *(Applause)* Okay. I think we have our timer back working. We shall see, hopefully. Uh... our next speaker is Errick Freeman. If you could approach and please give us your name and residential address, Mr. Freeman.

ERRICK FREEMAN: Hello. Errick Freeman, 1129 7th Street NW, Canton, Ohio. Uh... so I'm here today to address an issue that affects our community's progress. It's called favoritism. Favoritism perpetuates any quality by granting advantages to a select few while leaving others at a disadvantage. This creates a sense of unfairness. It can lead to disengagement and demotivation among those who are excluded. It undermines the principles of meritocracy, discouraging talented individuals from striving for excellence and the hindering of the overall progress of our society. In the context of favoritism, individuals with fresh perspectives and ideas may be overlooked and opportunities are not distributed based on merit. This results in a limited pool of talent and a lack of diverse perspectives, hindering innovation and limiting progress in various fields including science, education, technology and what I'm here to speak on today, the arts. It erodes trust and institutions and sabotages social cohesion, breeding distrust and cynicism amongst the people. By favoring the select few, favoritism denies opportunities for talented individuals who may bring valuable contributions to society and bring their personal growth and potential, as well as the overall progress and development of our community and its organizations. The consequences of favoritism extend far beyond individual instances of unfairness, and as representatives of the community, it's crucial that we address this issue and ensure that decisions are made

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based on fairness, transparency and merit. Now, I'd like to emphasize the importance of art and creative expression in our community. The arts have profound impact on our cultural expression, emotional and intellectual enrichment, social cohesion, economic development, education and (*inaudible*). Through various art forms, individuals and communities can celebrate their heritage, stim... stimulate evin... emotional growth, foster civil coherence and empathy, plus contribute to economic growth and promote social change. Let's work together to ensure that our community's needs and interests are effectively addressed and that the arts continue to flourish and enrich the lives of our residents. Thanks for your attention.

PRESIDENT BATES AYLWARD: Thank you, sir. (*Buzzer sounds*) Our next speaker is Justin Nicely. Mr. Nicely, if you could approach and give us your name and residential address for the record. We'll call once more. Just... oh, there he is, Justin Nicely. Okay.

JUSTIN NICELY: Yes. My name is Justin Nicely, 2952 Lincoln Way NW, Massillon, Ohio 44647. Um... I'm here today... sorry guys, that unfortunately you guys come in here talking about humanitarian needs to a whole bunch of deaf ears because this is what happens when you come in, try to get records requests and you tell their bailiffs that they need a retrain. This is what happens right here. Not only do you get that, you also... with the assault, you're gonna get charged... you're gonna get your property stolen from you, you're gonna get thrown in jail, and then as well also you're gonna get deemed as a criminal just because you say things to people who hold titles or positions of authority that they may not like. Here, this is what happens when you come to the City of Canton building, okay. Hey you citizen, give me your ID. What are you doing here? Answer my questions. Damn... wack... Shut up when you're answering my questions. Don't you see my position of authority, citizen? Answer me, dammit. Bam, wack... Shut up when you're answering me. This is what you get. They don't care. A whole bunch of tyrants with nothing better than a position of authority to sit there and just abuse because maybe you ask a question that maybe you guys don't want to answer or maybe cause I'm asking for footage that you guys don't want to release. Like for example... um, I don't want you guys to trip or anything because you all think I'm such a threat. I brought some gifts for you guys for, you know, next time somebody gets your butt hurt. For Andrea Perry, you know, the next time she wants to sit there and call an all available on somebody to sit there and swat members of the public for going to ask her for some accountability and ask why Canton City Police Department wants to sit there, abuse, threaten, harass and beat the hell out of citizens and members of the public for wanting accountability for what they've done to their family... uh, it... it'd be nice. Uh... maybe that that sixteen percent pay increase she got with \$127,000.00, I believe you guys can build her a safe space up there on the 8th floor. You know, make her feel better. I know, little 150 pound me is such a damn threat when I come in here to the building with my video cameras because that's the only way I can protect myself from you people, and prevent shit like this from happening. But even that, it doesn't matter. Pardon the language, but I mean it's a little bit frustrating... you guys want to sit there and talk about language and everything else. That's another big problem you guys have is the problem of freedom of speech. First Amendment... 90% of you people that sit there and hold a title can't even tell me the five freedoms entitled to me under it. I mean, it's ridiculous. Just for ex... uh... uh... you know like grievances with my government offices. I should be able to come to you people and sit there and ask questions that you may not like and not have to worry about getting the living hell beaten out of me by your Gestapos over here. I shouldn't have to worry about... you know...

PRESIDENT BATES AYLWARD: Twenty-five seconds.

JUSTIN NICELY: ...my family members being called up and harassed. I shouldn't have to worry about charges being pressed on me because I told your damn bailiffs they need a retraining. It's nothing but the ever blessed truth on how they engage members of the public. And as far as my page, Canton Hall of Shame, being taken down, I'm gonna let you all know right now, all you did was light a fire under my butt. It's gonna sit

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there and stay up until every single one of the corrupt here are taken the hell out or you resign. Half of you all need a hug. The rest of you all just need the damn... (*buzzer sounds*) (*inaudible*).

PRESIDENT BATES AYLWARD: Thank you, sir. Um... please take your items. I think...

JUSTIN NICELY: (*Inaudible*)... that's for you guys... (*inaudible*)

PRESIDENT BATES AYLWARD: What is that? Ugh.

JUSTIN NICELY: Uh... some Preparation H and a pacifier.

PRESIDENT BATES AYLWARD: Oh, just leave it. We'll have... we'll have maintenance clean that up. Okay. Our final speaker tonight... thank you, Officer, I appreciate you.

SECURITY OFFICER: Thank you.

PRESIDENT BATES AYLWARD: Our last speaker tonight is Kim Bell. Ms. Bell, are you here? There she is. Uh... if you'll please approach and give us your name and residential address.

KIMBERLY BELL: Kimberly Bell, 1733 Morris Avenue. We sit as Americans, we complain about the pettiest things, and here bodies are being blow to pieces. I came here to complain about what I witnessed when I got off work last night with Canton PD. I'm getting off work at nine o'clock, I'm coming up Tusc... Andrea Perry... and right there in front of the Sunoco Station a boy on a bicycle cuts in front of traffic. And police chase him, they pull into the parking lot at the Trinity Gospel Temple Church, he hit the bo... he took the police car and hit the bike, the boy jumped off the bike, ran across Tusc, the police jump out the car, leave the car door open, chase... do a foot chase right across Tusc in front of Sunoco, almost getting hit by three cars and me. I'm like, what is going... he it the boy on the bike to make him get off the bike. The boy gets off the bike, jump... jumps off the bike and run across Tusc. The cop jumps out the car on a foot chase with the police car in the parking lot at Trinity Gospel Temple with the door wide open on a foot chase. Then I got... then we got police cars coming all directions. This is the second foot chase this month Canton Police did. They did one right here in front of the City Hall. I'm leaving Social Security Building, I see a bo... a young... a little boy running across Cleveland Avenue. Here officers are coming the wrong direction up Cleveland Avenue and doing another foot chase. What's going on with Canton Police, Mayor? And... you remember before you took office, I made a suggestion that you use... out... out of the three meetings we have a month, if you would consider using one of those meetings to respond to the residents. Uh... I mean... you... you say you're changing the way you do business other than the way Tom Bernabei do it. Well, let's change it with that. Start with answering some of our questions. Don't leave us out here... lea... don't leave us walking out of here with the same issues we walked in with. Have anybody answer the question. You don't have to pick and choose the... the ward it's in. Anybody could volunteer and answer our questions.

PRESIDENT BATES AYLWARD: Twenty-five seconds.

KIMBERLY BELL: Please consider that. But... my heart goes out to you folks. May God be with you and your people. We complain about so much, but we gotta think of the next person. I'm sorry. I am so sorry.

PRESIDENT BATES AYLWARD: Thank you, Miss Bell. (*Buzzer sounds*) That concludes Public Speaks.

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PRESIDENT BATES AYLWARD: We are now under Informal Resolutions and we have three for this evening. Madam Clerk, would you please read Informal Resolution #1, by title.

1. COUNCIL-AS-A-WHOLE: RESOLUTION TO SELECT A MEMBER OF A LEGISLATIVE AUTHORITY OF MUNICIPAL CORPORATION WITHIN STARK COUNTY TO SERVE ON THE COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE. - ADOPTED

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Informal Resolution #1.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #1. Um... are there any remarks under this Resolution? This is the one we discussed briefly. ...Hearing no remarks, by voice vote all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #1 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it, the motion carries and Informal Resolution 1 is adopted. Informal Resolution 2 please, Madam Clerk.

2. COUNCIL-AS-A-WHOLE: EXPRESSING OUR SUPPORT OF THE ATTACHED N.E. CANTON SCHOOLS, SAFE ROUTES TO SCHOOL, SCHOOL TRAVEL PLAN. - ADOPTED

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Informal Resolution #2.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #2. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #2 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it, the motion carries and Informal Resolution #2 is adopted. Informal Resolution #3, Madam Clerk.

3. PERSONNEL COMMITTEE: AMENDING POLICY FOR HIRING COUNCIL OFFICE STAFF. - ADOPTED

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Informal Resolution #3.

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MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #3. Are there any remarks under this Resolution? ...Hearing none, by voice vote, all those in favor signify by saying aye. All those opposed no.

NO REMARKS

RESOLUTION #3 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it, the motion carries and Informal Resolution #3 is adopted. 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 26, 2024.

4. REQ AUTH FOR AUDITOR TO PAY MORAL OB FOR BLENDED FAMILY HEALTH CARE SERVICES; EMERGENCY. – FINANCE DIRECTOR CROUSE
5. REQ FOR NEW D5 LIQUOR PERMIT FOR PRO FOOTBALL HOF INC, 2121 GEORGE HALAS DR NW, WARD 7. – LIQUOR CONTROL DIV (OH)
6. AUTH TEXT ADDITIONS TO CODIFIED ORDINANCE CANTON TITLE SEVEN – CHPT 1131 DEFINITIONS SMALL BOX; AND TITLE THIRTEEN – 1148 SPECIAL PROVISIONS; 1148.14 SMALL BOX DISCOUNT RETAIL STORES. – MAYOR SHERER & COUNCIL-AS-A-WHOLE
PUB HRG 4/15/24 @ 7:00 PM
7. REQ SMALL BOX DISCOUNT RETAIL STORE MORATORIUM UNTIL 1/1/25 (FULTON RD, CLEVELAND AVE, MARKET AVE, TUSCARAWAS ST). – MAYOR SHERER
8. REQ APPT OF MR. DOUG PRESTIER TO CANTON BOARD OF BUILDING APPEALS COMMENCING 3/4/24 TO 12/31/26. – MAYOR SHERER
9. AUTH ZONE CHANGE AT 2121 4TH ST SE (PARCEL 232763) FROM PB-4 – PLANNED SPECIAL BUSINESS TO PB-3 – PLANNED GENERAL BUSINESS DISTRICT. WARD 4. – PLANNING COMMISSION
PUB HRG 4/8/24 @ 7:00 PM
10. AUTH ZONE CHANGE AT 2234 FAIRCREST ST SW (PARCEL 8300070) FROM R-3 – GARDEN TOWNHOUSE APARTMENT DISTRICT TO PB-4 – PLANNED SPECIAL BUSINESS DISTRICT, WARD 4. – PLANNING COMMISSION
PUB HRG 4/8/24 @ 7:01 PM
11. REQ CITY WIDE ZONE CHANGES (1620 MARKET AVE S, 1003 CHERRY AVE NE AND 2213 GAGE AVE NE). – PLANNING COMMISSION
PUB HRG 4/8/24 @ 7:02 PM
12. REQ REPLAT OF OUTLOTS 1164 AND 1411, PARCEL 8300070 & 10011225, WARD 4 (SHAWNEE DEVELOPMENT AND GILTZ & ASSOCIATES, 2304 AND 2234 FAIRCREST ST SW). – PLANNING COMMISSION

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13. REPLAT OF LOTS 1573, 1574, 1618, 43166, 43167 & PART OF LOT 1617, PARCELS 208747, 203921, 237542, 10016012, 10008998 & 10008997, WARD 1 (CITY OF CANTON, CANTON COMMUNITY IMPROVEMENT CORP, CANTON FOR ALL PEOPLE AND WODA COOPER COMPANIES, 1000 BLK TUSCARAWAS ST W). – PLANNING COMMISSION
14. REPLAT OF PART OF LOTS 6095, 6096, 6097 AND 6098, ALL OF LOTS 6093, 6099, 6100 AND 6101 AND A 10' AND A 20' ALLEY AND HALF OF A 15' ALLEY, PARCELS 283700, 283699, 245169, 232258 & 206249, WARD 2 (PALACE THEATER, 605 & 621 MARKET AVE N AND 135 & 201 6TH ST NW). – PLANNING COMMISSION
15. REPLAT OF PART OF LOTS 37959, 37960 & 37961 AND ALL OF LOT 37962, PARCELS 305172, 303747 & 303427, WARD 8 (CAMPBELL OIL, CAMPBELL REAL ESTATE LTD, 3812 & 3822 CLEVELAND AVE NW AND 1729 38TH ST NW). – PLANNING COMMISSION
16. REPLAT OF LOTS 7887 AND 7888, PARCELS 236418 & 207338, WARD 8 (HABITAT FOR HUMANITY, 1804 2ND ST SE). – PLANNING COMMISSION
17. REPLAT OF LOTS 13665 AND 13666, PARCELS 213205 & 215136, WARD 9 (HABITAT FOR HUMANITY, 1718 HARRISBURG RD NE). – PLANNING COMMISSION
18. REQ CITY OF CANTON 2024 UTILITY RATES ADJUSTMENTS, TOTAL MONTHLY INCREASES APPROX \$2.58; EFFECTIVE 3/31/24. – SERVICE DIRECTOR HIGHMAN
19. REQ WATER MAIN EXTENSION TO WICKER CREEK NO. 6 IN PLAIN TOWNSHIP; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
20. REQ MT VERNON AREA WATER MAIN REPLACEMENT AND SEWER IMPROVEMENTS PROJ – DESIGN; EMERGENCY (SUPP APPROP FR 5201 WATER WORKS FUND TO MT VERNON AREA WATER MAIN REPLACEMENT PROJ; 5410 SEWER OPERATING FUND TO 5410 207089 MT VERNON AREA WATER MAIN REPLACEMENT PROJ). – SERVICE DIRECTOR HIGHMAN
21. RE N.E. CANTON SCHOOLS, SAFE ROUTES TO SCHOOL, SCHOOL TRAVEL PLAN, GP 1423. – SERVICE DIRECTOR HIGHMAN
22. REQ 2023 OFFICE OF CRIMINAL JUSTICE SERVICES, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG); EMERGENCY (SUPP APPROP & INTER-FUND ADV TO POLICE ADMIN). – SAFETY DIRECTOR PERRY
23. RPTS OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 1/31/24. – TREASURER PEREZ
24. RPT OF PARKING METER REVENUE FOR 1/31/24. – TREASURER PEREZ
25. COMPARATIVE RPT OF CASH RECEIPTS AS OF 1/31/24. – TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT BATES AYLWARD: We are now under Ordinances and Form... and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #26.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #26 THROUGH #28 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

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- O#26. (1ST RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$725,000.00 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#27. (1ST RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,750,000.00 TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#28. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DOWNTOWN CANTON PARTNERSHIP, INC. IN AN AMOUNT NOT TO EXCEED \$250,000.00 PER YEAR FOR TWO YEARS, FOR THE PERIOD MARCH 1, 2024 THROUGH JANUARY 1, 2026 UTILIZING ISSUE 13 COMPREHENSIVE PLAN FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk.

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 #29.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #29 THROUGH #33 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #33 ADOPTED:

- O#29. (2ND RDG) AN ORDINANCE ESTABLISHING THE INTERIOR RENOVATION PROGRAM (IRP) AND AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO IRP GRANT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#30. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY PATH MASTER, INC. A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$9,066.00, AND DECLARING THE SAME TO BE AN EMERGENCY

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- O#31. (2ND RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR SERVICES PERFORMED BY AND/OR ON BEHALF OF THE CITY OF CANTON BUILDING AND CODE DEPARTMENT FOR BOARD UP/CLEAN UP/DEMOLITION CHARGES; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#32. (3RD 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 TWO (2) SMALL TO MID-SIZED REAR LOADING PACKERS, ONE (1) KNUCKLE BOOM LOADER (CLAW) TRUCK, AND ONE (1) PASSENGER VAN FOR THE SANITATION DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#33. (3RD RDG) **ADOPTED AS ORDINANCE NO. 36/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE 3110 GLEN PLACE NW DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we suspend Statutory Rules on Ordinance #33.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspended the Statutory Rules on Ordinance #33. 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. You've heard the three readings, Leader Mariol.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

#33 ADOPTED AS ORDINANCE NO. 36/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #33 has been adopted.

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 #34.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #34 THROUGH #36 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#34. (3RD RDG) **ADOPTED AS ORDINANCE NO. 37/2024** 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

(Drilling noise is heard)

PRESIDENT BATES AYLWARD: Well, that's a new one. *(Drilling noise continues)* Alright, just hold on one second. Any thoughts? *(Inaudible voices in the background)* I would hope not.

MEMBER SCAGLIONE: U-mmm.

CLERK WOOD: Sounds like somebody's working.

PRESIDENT BATES AYLWARD: Well...

MEMBER SCAGLIONE: I agree.

MEMBER BABCOCK: Right outside... sounds like it's right outside. *(Inaudible voices in the background)*

PRESIDENT BATES AYLWARD: Well, we're gonna do the best that we can to continue... uh... on. Where were we, Madam Clerk?

CLERK WOOD: I just read Ordinance #34.

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PRESIDENT BATES AYLWARD: Okay, let's try 35.

CLERK WOOD: We have to vote.

MEMBER BABCOCK: Oh, no. We have to vote.

PRESIDENT BATES AYLWARD: Oh, that... I'm sorry... I'm sorry. Yeah, we haven't even voted yet. I'm sorry. Okay, read 34. Here we go. Leader Mariol. (*Chuckles*)

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

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: Okay, are there any... it's moved and seconded to adopt Ordinance #34. Are there any remarks? ... Hearing none, roll call vote, please. (*Drilling noise resumes*)

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

#34 ADOPTED AS ORDINANCE NO. 37/2024

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. Motion carries and Ordinance #34 is adopted. Ordinance #35. We're gonna do the best we can.

O#35. (3RD RDG) **ADOPTED AS ORDINANCE NO. 38/2024** 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

PRESIDENT BATES AYLWARD: Thank you. 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

CLERK WOOD: Eleven yeas, Madam President.

#35 ADOPTED AS ORDINANCE NO. 38/2024

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

CLERK WOOD: Ordinance #36.

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O#36. (3RD RDG) **ADOPTED AS ORDINANCE NO. 39/2024** AN ORDINANCE AMENDING CHAPTER 159, DOWNTOWN REDEVELOPMENT/INNOVATION DISTRICT BOARD; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Okay, I'm getting confused. Hold on here. Alright, Leader Mariol.

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

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #36. Are there any remarks?

MEMBER MORRIS: Point of order.

PRESIDENT BATES AYLWARD: Oh, go ahead. Yes, Member Morris.

MEMBER MORRIS: Did we properly move to reconsider this before we...

UNIDENTIFIED VOICE: Yes.

CLERK WOOD: That's the next one.

MEMBER MORRIS: Oh.

UNIDENTIFIED VOICE: Sorry.

MEMBER MORRIS: Uh... all those noises distracted the hell out of me too.

PRESIDENT BATES AYLWARD: Yes, it is. It's a little distracting. Okay, so Leader Mariol.

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

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #36. Now... (*chuckles*)... uh... are there any remarks? Okay. ... 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. 39/2024

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

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#36a. (3RD RDG) **RECONSIDERED AND AMENDED AS ORDINANCE NO. 22/2024** AMEND APPROP O#227/2023; EMERGENCY (SUPP APPROP, INTER-FUND ADV & INTER-FUND REPAYMENT TO POLICE ADMIN FUND)

PRESIDENT BATES AYLWARD: Leader.

MEMBER MARIOL: Madam President, I move we reconsider O#22/2024 that was passed on February 12th of 2024.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to reconsider... uh, the Ordinance that Member Morris was referring to, 22/2024 which was adopted on February the 12th, 2024. 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.

MEMBER MARIOL: Madam President, I move we amend Ordinance 22/2024 per the amendment in front of everyone that the Finance Director explained during Committee Meetings.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: Okay. It's been moved and seconded to amend Ordinance 22/2024 per the copy before each of you. Are there any remarks under this amendment? ...Hearing none, by voice vote, all those in favor signify by saying aye. Any opposed, no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it. Leader.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #22/2024, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rules 41 and 36 respectively, I move to reconsider and amend Ordinance No. 22/2024 by amending the Supplemental Appropriations To: in Section 1 to read "1001 103001 Fire Admin"; amend the organization number in the Inter-fund Advance and Inter-fund Repayment from "102001" to "103001".

PRESIDENT SHERER: It's been moved & seconded to adopt Ordinance 97/2023, as amended. Are there any remarks? ...Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

ORDINANCE #36a RECONSIDERED AND AMENDED AS ORDINANCE NO. 22/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #22/204 as reconsidered is amended and adopted. Okay.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT BATES AYLWARD: Now we are under Announcement of Committee Meetings. Our next meeting date is March the 4th, 2024 and Committee... Committee Meetings will start at 6:30 P.M. Finance.

MEMBER GIAVASIS: Madam President, (*inaudible*)... Finance Committee will meet (*inaudible*)... next meeting.

PRESIDENT BATES AYLWARD: Okay. I believe that's the only one.

MISCELLANEOUS BUSINESS

PRESIDENT BATES AYLWARD: Um... we are now under Miscellaneous Business. Is there any Miscellaneous Business that someone... yes, Safety Director.

SAFETY DIRECTOR PERRY: Um... first, I want to thank everyone who stopped by, sent a card or just gave a hug to my family in reference to my mom's passing. I want to thank all of you. I appreciate it all. And secondly, Mary Cirelli would like for me to let every... uh, Captain Bodnar and ever member of the Fire Department to go on record to thank them for the kindness that they provided to her recently when she had a medical emergency and they assisted her. Thank you.

PRESIDENT BATES AYLWARD: Thank you, Safety Director. And our condolences. Is there...

SERVICE DIRECTOR HIGHMAN: Madam President.

PRESIDENT BATES AYLWARD: Yes.

SERVICE DIRECTOR HIGHMAN: Just so everybody knows cause I know you all want to know, there was work going on downstairs in the Police Department from our Maintenance Department. They apologize, it will not happen again, but it was our guys working. So, sorry about that. It will not happen again.

MEMBER HAWK: Jail break (*chuckles*).

PRESIDENT BATES AYLWARD: Thank you. (*Chuckles*)... yeah, thank you. Is there any other Miscellaneous Business?

MEMBER MORRIS: Madam President.

PRESIDENT BATES AYLWARD: Oh yes, Member Morris.

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MEMBER MORRIS: To the audience, we are not a bunch of mindless robots up here just kinda going through the motions. Due to Council Rules, when you come up during Public Speaks, Council itself is not allowed to address you or answer questions. All your questions and concerns are directed to the Chair. It doesn't mean that since we don't say anything, we don't care. We hear you, we understand where you're coming from. If you'd like to stay after the meeting and meet with us, we'd be more than glad to talk to you. But during the actual meeting under Public Speaks, that is your time to express your concerns to us, but we cannot acknowledge it or respond due to our Rules. Okay? Thank you.

PRESIDENT BATES AYLWARD: Thank you, Member Morris. Is there any other Miscellaneous Business? I do have something. Um... it has been brought to my attention and... uh, that Betty Smith is going to be having open heart surgery tomorrow morning, and we would ask for everyone to keep her and her family in thoughts and prayers. It's a serious, obviously, surgery. Okay. Is there any other Miscellaneous Business? No. Alright... uh, Leader.

MEMBER MARIOL: Madam President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adjourn. Roll call vote please, Madam President... uh... Madam Clerk. I'm having a bad day.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. We are adjourned. (*Gavel falls*)

ADJOURNMENT TIME: 7:53 PM

ATTEST: February 28, 2024

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

KRISTEN BATES AYLWARD
PRESIDENT