

**MINUTES OF THE MEETING APRIL 8, 2024**

PRESIDENT BATES AYLWARD: It's been moved and seconded to come out of Executive Session for Personnel reasons. Madam Clerk, roll call vote please.

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: You are out of Executive Session.

PRESIDENT BATES AYLWARD: Thank you very much. (*Gavel falls*) Good evening ladies and gentlemen, and welcome to Canton City Council. If everyone would please turn your cell phones off or to vibrate, we would appreciate it. And with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

12 COUNCIL MEMBERS PRESENT: (JOHN MARIOL, JAMES BABCOCK, LOUIS GIAVASIS, CRYSTAL SMITH, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, JONATHAN COOKS, RICHARD SACCO, FRANK MORRIS)

CLERK WOOD: Twelve present, Madam President.

PRESIDENT BATES AYLWARD: Thank you. Tonight's invocation will be given by Member-at-Large, James Babcock. If you'll all please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on April 8, 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 Council Member-at-Large, James Babcock. The Pledge of Allegiance was led by President Bates Aylward.*

**AGENDA CORRECTIONS AND CHANGES**

PRESIDENT BATES-AYLWARD: Thank you, Member Babcock. 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 #13 through #16 to this evening's Agenda.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to second readings to Ordinances 13 through 16 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinances 13 through 16 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT BATES AYLWARD: We are now under Public Hearings, and tonight we have three Public Hearings. So Madam Clerk, would you please begin with the first Public Hearing.

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CLERK WOOD: AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Is there anyone in the audience wishing to speak for or against this Ordinance, please come forward. And I will repeat, is there anyone in the audience wishing to speak for or against this Ordinance. We discussed this a little bit earlier. Okay. Seeing no one step forward, the Chair declares the public hearing over in regard to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. Madam Clerk, Public Hearing number two, please.

CLERK WOOD: AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Thank you. Again, same procedure. Is there anyone in the audience wishing to speak for or against this Ordinance, please come forward. Again, if anyone would like to speak, please come forward. Seeing no one step forward, the Chair declares the public hearing over in regard to this matter and the matter now rests in the hands of Council and the Ordinance will follow later this evening. Madam Clerk, hearing number three, please.

CLERK WOOD: AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Thank you. Same procedure. Is there anyone in the audience wishing to speak for or against this Ordinance, please come forward. Again, anyone? Seeing no one step forward, the Chair declares the public hearing over in regard to this matter and the matter now rests in the hands of Council and the Ordinance will be followed later this evening. Thank you.

**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 five speakers this evening. Many of you have been with us before, but I will repeat, please approach the podium, state your name and resident... residential address. We have... um, clarified through a discussion earlier, we will not start the clock until after you have stated your name and residential address to give you the maximum amount of time, and that was brought forth by Member Chris Smith. Our first speaker is Daver...(chuckles)... David Kerestes. Mmm, I can't read. David Kerestes, would you please approach, state your name and resident... residential address, sir. Thank you.

DAVID KERESTES: David Kerestes, 626 Walnut NE. I'm here tonight to speak of common sense (*inaudible*). Uh... where I come from in my life, I look into other things that people might not.

MEMBER SCAGLIONE: Can't hear.

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DAVID KERESTES: So I'm looking at the Espionage Act of 1917 in Section 2 under the National Defense (*inaudible*).

PRESIDENT BATES AYLWARD: Could you please speak a little more in the mic, just so we can all hear you, or... yeah, just a little bit more. Thank you. Thank you.

DAVID KERESTES: Anyway, I'm here tonight to speak of the Espionage Act of June 15<sup>th</sup> under 1917, Section 2 of National Defense, "Whoever with intent or reason to believe that the information may be used for injury to the United States of America or to the advantage of any foreign nation." Um... I say what about an action. For me, the fleecing of America is an act of espionage starting with the Free Trade Act with George Bush, the CIA Director's son accused of election fraud by Jim Carey legally through the United States election process. Huh, to watch this guy take over the presidency with no investigation and everything liquidated, that raises a red flag right there for me under common sense. And then I go into Donald Trump who talks of maybe there should have been more votes and how there was fraud maybe possible. That's a second U.S. official. Huh, nobody spoke of any of that in our government whatsoever. But that would bring me to Franklin De... Delano Roosevelt quoted, "I would hope that the American people would not bring upon themselves the curses of detrimental health, morals and social integrity," unquote. What he was speaking of was the morality act, the 1919 Volstead Act, which was the 18<sup>th</sup> Amendment. Uh... that amendment prohibited alcohol to be sold in America. They repealed that law, but under law, you can't repeal law. So they destroyed this country long before I was born in (*inaudible*). That brings me into prohibition. Bring paganism into America, creating a character in the civilian population of the nation believing gambling, drugs, alcoholism and unmoral actions were common in a Christian society with a sin tax. You think God's gonna help this country? I don't. That also brings me to the Geneva Convention in violation of mustard gas in World War I. Our leaders outlawed the experiment into or the creation of airborne pathogens that affect the lungs of humans. That's world law under the Geneva Convention. What's Covid?

PRESIDENT BATES AYLWARD: Ten seconds.

DAVID KERESTES: What's Covid? I'll be back to talk about the word entitlement and how that destroys the Emancipation Proclamation. Thank you.

PRESIDENT BATES AYLWARD: Thank you very much. Our next speaker is Ahmed Cheema. Mr. Cheema, thank you.

AHMED CHEEMA: Ahmed Cheema, 5155 Foxchase Avenue NW. Respected Council, fellow citizens of Canton. Aassalamu alaikum, peace be with you. For almost two months now, I've stood before you, my voice one of many, pleading to the City Council for a vote, a symbolic ceasefire resolution for Gaza. We come here week after week, hearts heavy, wit... with... with a very simple message, stop the bloodshed, stop the genocide. Some of us carry the weight of this conflict closer than others, with relatives and loved ones being slaughtered, but the tragedy unfolding shouldn't require a personal connection to move us. Innocent lives are being extinguished everyday. The silence from some of you speaks volumes. A silence that feels like complicity in the face of suffering. Half of the Council members stand with us. They understand the moral imperative, but to the remaining members I say this, don't be afraid to take a stand. A vote of opposition may be your political calculus, but it sends a chilling message, a message that says the lives lost are mere statistics. This isn't about winning or losing a vote. It's about leadership with a conscience. Let the people see where you stand. Let the world see our city as a beacon of hope and peace, not indifference. Dozens, probably close to a hundred or more, city councils across our nation have passed ceasefire resolutions on human... humanitarian basis. There's countless... (*sighs*)... items in media that I could go into for... forever, but the world is noticing. The

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incident in... with the world's central kitchen... um, humanitarian workers, it came up because those are not Palestinians, they don't look like people that are sitting in this room.

PRESIDENT BATES AYLWARD: Ten seconds.

AHMED CHEEMA: We stand for the voiceless. We stand for humanity. The time for action is now. (*Buzzer sounds*) Please vote. (*Applause*)

PRESIDENT BATES AYLWARD: Thank you, Mr. Cheema. Our next speaker is Hasan Muheisen? And again, if you would state your name and your residential address please, sir.

HASAN MUHEISEN: My name is Hasan Muheisen. My address, 615 Rodeo Street, Louisville, Ohio.

PRESIDENT BATES AYLWARD: Can you speak a little closer in the mic for us so we can hear you. Thank you. Thank you, sir.

HASAN MUHEISEN: My address is 615 Rodeo Street, Louisville, Ohio. My... uh, my other address also in Canton, 821 Richard Place NW, Canton, Ohio. That's my vacation place.

PRESIDENT BATES AYLWARD: (*Laughs*)

HASAN MUHEISEN: Uh... we are here for almost two months or three months, we've been talking about the ceasefire. And when I want to talk about my experience, I talk past time. For now, we have more than 35,000 kids that were killed. Not by disease, it's by war machine. We want to say, we are not here to beg you for peace resolution, we are asking that you stand by the humanity, stand by the millions of voices around the world that say please stop the killing, stop the destroying of the hospitals, destroying even the schools. You go to the schools, you see nothing but rubbles. You go to the hospitals, you see the doctors (*inaudible, mic cuts out*), nobody care. We see like the first week of Russian invasion to Ukraine. I see everybody try to wave the Ukrainian flag, but for six months I don't see someone who will stand and say stop these killings. Six months, not one day or two days or one week. Everyday at least we have 250 innocent people got killed, 250 a day, not... when I looked at the Canton... like how many got killed in Canton, they said maybe 24 got killed. And they say 24, that's... in Canton, is very dangerous place to live in. That's in one year, 24 people got killed in Canton. I really want to see some... my friend said about how many people like voted yes. We need now to act. We need now to go and find the resolution, but some of others, they said no, I can't do this yet because I want to see more suffering on the Palestinian and Israeli sides.

PRESIDENT BATES AYLWARD: Ten seconds.

HASAN MUHEISEN: I'm not good at this yet. Why you're not good at this yet, I don't know. (*Buzzer sounds*) I don't understand this yet. I feel it doesn't work it, or I feel this doesn't make any sense.

PRESIDENT BATES AYLWARD: I'm sorry, sir.

HASAN MUHEISEN: I feel I don't want to take any action yet.

PRESIDENT BATES AYLWARD: Your time is over. Thank you.

HASAN MUHEISEN: Sorry, thank you.

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PRESIDENT BATES AYLWARD: It's alright. Thank you. (*Applause*) Our next speaker is Skylark Bruce. Miss Bruce, if you'd approach and again, give us your name and residential address. Thank you.

SKYLARK BRUCE: My name is Skylark Bruce, and I live at 2216 Bollinger Avenue NE. I'm recovering from a ba... a bad cold, so this will be short. Thank you for hearing the zoning request of my friends, Kara and Todd Bond. The mushrooms they grow are outstanding. They are an excellent example of the ingenuity of locals who choose to keep their small business in the city despite the challenges of doing so. I hope you will decide not to stand in their way. On a more critical matter, many decent beautiful people have been asking you for months to make a basic statement in support of a permanent ceasefire to end Israel's genocide in Gaza. And some of you support a pause, but that's it. Doesn't that sound so familiar? The people of Gaza do not deserve to be mass murdered, starved and dehydrated to death by anyone, least of all Israel. I know the callous disregard that Canton City Council has had, historically and recently, for the lives of people here in Canton who have been devastated by police brutality, senseless preventable deaths right here in this city paid for by our city taxes. And also, senseless preventable deaths in Palestine paid for by our Federal tax dollars. Maybe Canton City Council will decide not to make any kind of collective statement in full-throated support of millions of people thousands of miles away. That would be more than you did for the families of people murdered by Canton City employees. You... but you can learn from your own errors and the errors of your predecessors on Council. You are not locked in to what you have always done. But, just because you might be too (*inaudible, mic cut out*)... say it, doesn't mean I am. Ceasefire now. Free Palestine. Justice for Zach Fornash, James Williams, Ja'Ron Nero and Darryl Ross. Justice for 33,000 murdered Palestinians. From the river to the sea, no one is free until we all are free. (*Applause*)

PRESIDENT BATES AYLWARD: Thank you, Miss Bruce. Our final speaker is Yuzun Muheisen, I believe. And if you would approach, sir, and give us your name and residential address, please. Yes, and speak into the mic. Thank you so much.

YUZUN MUHEISEN: Uh... Yuzun Heisen. Um... 615 Rodeo Street. Dear Council Members, I'm the son of Palestinian immigrants who were forced to flee Palestine, which was their ancestral homeland for thousands of years. The Israeli occupation pushed my family out with the threat of death and violence. They left to find a better opportunity for themselves and their family. If my parents had chosen to stay in Palestine, I could have easily been a part of the 30,000 plus Palestinian civilians, including half of which being children, were killed. And that was only since October 7<sup>th</sup>. I would have never lived a life of peace and normalcy. I would have never lived through 20 birthdays. I would have never lived... or I would never had the chance to prosper and attend a university. All my dreams and aspirations would have been crushed simply because I'm a Palestinian. However, I'm alive today and I'm speaking with you. Dear Council Members, I'm asking you to see my humanity and the humanity of Palestinians. So I ask you, what would you do if you're in the Gazan shoes? Leave behind your political perspective that leaves you saying, it's complicated. I ask you to imagine that if it were your children and ga... grandchildren being starved, brutalized and murdered. Living lives deprived of their basic human rights simply because they are Palestinian. Truly this is not a war, but a genocide of my people. I ask you now, will you stand with these children? Will you stand with our Palestinians? Will you stand with humanity and call for a ceasefire? Will you join the call of our neighbors in Cleveland, Akron, Dayton, Toledo and other Ohio communities that have voiced their... uh, chance for a ceasefire. The choice seems overwhelmingly obvious. Thank you. (*Applause*)

PRESIDENT BATES AYLWARD: Thank you, sir. Thank you, our speakers. And I do believe in Miscellaneous Business there will be some discussion of this matter this evening. Thank you.

**MINUTES OF THE MEETING APRIL 8, 2024****INFORMAL RESOLUTIONS**

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

1. PERSONNEL COMMITTEE: ELECTION OF KIERRA COTTLE TO ADMINISTRATIVE ASSISTANT V EFFECTIVE 4/15/24. - 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: Are there any remarks under this Resolution? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. Uh... the motion carries and Informal Resolution #1 is adopted. I'd like you to please recognize our newest family member, Miss Cottle. (*Applause*) If you would please... uh, stand up. I just want to congratulate you and everyone's very enthusiastic and can't wait for you to start.

KIERRA COTTLE: Thank you.

PRESIDENT BATES AYLWARD: So, thank you very much. Does anyone have anything to say. Please feel free. Member Morris.

MEMBER MORRIS: Young lady, this is gonna be your first Monday night where you can run out of here (*laughter*). So if I were you... uh, congratulations. It was a pleasure getting to meet you during your... the interview process. Uh... and as all of you can tell, I told you she lights up a room. Uh... so after this you can head out and go home and enjoy your evening with... uh, your child.

PRESIDENT BATES AYLWARD: Thank you very much. Congratulations. (*Applause*)

**COMMUNICATIONS**

PRESIDENT BATES AYLWARD: We are now under Communications. Let the journal show that all Commun... 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 APRIL 1, 2024.***

2. STATEMENT OF CASH POSITION DATED 3/28/24. – AUDITOR MALLONN

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3. CANTON MUNICIPAL COURT 2023 ANNUAL REPORT. – COURT ADMINISTRATOR MICHAEL KOCHERA
4. REQ COMMUNITY REINVESTMENT AREA (CRA) & “NON-SCHOOL” TIF FOR PARCELS 246824 & 246821 – JSC PROPERTIES LLC; EMERGENCY. – ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
5. AUTH TAX INCENTIVE REVIEW COUNCIL RECOMMENDATION. – ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
6. AMEND APPROP O#61/2024 (INCREASE IN FUND 1154); EMERGENCY (VARIOUS SUPP APPROPS AND INTER-FUND TRANSFER). – FINANCE DIRECTOR CROUSE
7. REQ APPT OF MS. CARLA STOKES TO FAIR HOUSING COMMISSION COMMENCING 4/15/24 TO 12/31/26. – MAYOR SHERER
8. REQ HARMONT AVE – COLUMBUS RD NE RESURFACING PROJECT G.P. 1401; EMERGENCY (SUPP APPROP FR 2182 AMAZON TIF FUND TO 2182 202031 HARMONT-COLUMBUS RD NE RESURF – OTHER). – SERVICE DIRECTOR HIGHMAN
9. AUTH COUNCIL CLERK TO CERTIFY LIST OF UNPAID AND DELINQUENT CHARGES FOR BOARD UP/CLEAN UP/DEMO SERVS TO STARK COUNTY AUDITOR; EMERGENCY. – SAFETY DIRECTOR PERRY
10. AUTH PROPOSAL TO HIRE A MASTER PLANS EXAMINER FOR THE CITY OF CANTON BUILDING AND CODE DEPT; EMERGENCY. – SAFETY DIRECTOR PERRY

**ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT BATES AYLWARD: And we are now under First Readings for Ordinances and Formal Resolutions. Madam Clerk, would you please begin with Ordinance #11.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #11 THROUGH #12 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#11. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING THE DEMOLITION ASSISTANCE PROGRAM (DAP) AND AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH AND COMPENSATE THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO ADMINISTER THE DAP; AUTHORIZES THE AUDITOR TO DRAW WARRANT FROM THE GENERAL FUND, NON-INCOME TAX PORTIONS IN AN AMOUNT NOT TO EXCEED \$100,00.00; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- O#12. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 67/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY CONTRACTS NECESSARY TO RESPOND TO THE 800 WALNUT AVE NE DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER

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INTO CONTRACT WITH BUTCHER AND SON TO PERFORM THE DEMOLITION;  
AND DECLARING THE SAME TO BE AN EMERGENCY  
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 #12 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:31 PM FOR THE FINANCE COMMITTEE TO MEET IN REGARDS TO O#12; RECONVENED AT 7:33 PM)***

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

MEMBER MARIOL: Madam President, I move we suspend Rule 22A to add Ordinance #12 back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to place Ordinance 12 back on this evening's or agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #12 is a legal part of your agenda. Leader Mariol.

MEMBER MARIOL: Madam President, I move we suspend statutory Rules on Ordinance #12.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to suspend the Statutory Rules on Ordinance #12. Are there any remarks? ...Hearing none, roll call vote, please, Madam Clerk.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

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

MEMBER MARIOL: Madam President, I move we adopt Ordinance #12.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you adopt Ordinance #12. Are there any further remarks under this Ordinance? ...Hearing none, roll call vote, please.



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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#12 ADOPTED AS ORDINANCE NO. 67/2024**

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. The motion carries and Ordinance #12 has been adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

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

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

- O#13. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 1131 DEFINITIONS SMALL BOX OF TITLE SEVEN AND CHAPTER 1148 SPECIAL PROVISIONS OF TITLE THIRTEEN OF THE CANTON CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG: 4/15/24 @ 7:00 PM**
- O#14. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS OR TO ALTERNATIVELY ENTER INTO SAID CONTRACTS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW EXECUTE ONE OR MORE PROFESSIONAL SERVICES CONTRACTS FOR DESIGN AND CONSTRUCTION OVERSIGHT; AND ENTER INTO ANY AND ALL PROFESSIONAL SERVICES CONTRACT NECESSARY TO COMPLETE THE TRAFFIC ENGINEERING BUILDING PROJECT – GP 1446; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES RELATED TO THIS PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY IN ORDER TO IMPLEMENT THE 2024 SUMMER WORK EXPERIENCE PROGRAMS UTILIZING ARPA FUNDS AND TO ENTER INTO ALL CONTRACTS NECESSARY IN ORDER TO IMPLEMENT THE 2024 SUMMER CAMP/LEARNING PROGRAMS UTILIZING ARPA FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF THE FAIR MARKET VALUE (FMV) OF REAL PROPERTY FOR PURCHASE/ACQUISITION FOR FEE SIMPLE TAKES AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE BELDEN AVE. NE BRIDGE REHABILITATION PROJECT, GP 1375 UTILIZING ANY PROCESS AUTHORIZED BY LAW; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR

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DESIGNEE TO ENTER INTO AGREEMENT FOR THE PURCHASE/ACQUISITION OF SAID PARCELS UTILIZING FMV; AND FOR THE CITY TO ACCEPT EASEMENTS AND TITLE TO FEE SIMPLE TAKE PARCELS AND TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS; DECLARING THE INTENT TO APPROPRIATE THE PARCELS IF A NEGOTIATED SETTLEMENT CANNOT BE REACHED FOR THE CITY TO ACCEPT TITLE TO SAID PARCEL; 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 #17.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #17 THRU #26 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 68/2024** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE NON-BARGAINING UNIT PERSONNEL IN THE CIVIL SERVICE DEPARTMENT OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #17.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #17. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#17 ADOPTED AS ORDINANCE NO. 68/2024**

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. Motion carries and Ordinance #17 is adopted. Ordinance #18.

O#18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 69/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 3695 AND ALL OF LOT 3696; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #18.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #18. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#18 ADOPTED AS ORDINANCE NO. 69/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #18 is adopted. Ordinance #19, please.

O#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 70/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUTLOT 566; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #19.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #19. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#19 ADOPTED AS ORDINANCE NO. 70/2024**

PRESIDENT BATES AYLWARD: Ordinance #20 please, Madam Clerk.

O#20. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 71/2024** AN ORDINANCE VACATING A PORTION OF 7<sup>TH</sup> ST SW; APPROVING AND ACCEPTING THE REPLAT OF LOTS 3806-3810, 3814, 6557, 19564, 38911, 39968-39974; PART OF LOTS 3805, 3811-3813; PART OF OUTLOT 90 AND THE REPLAT OF THE VACATED PORTION OF 7<sup>TH</sup> ST SW; AND DECLARING THE SAME TO BE AN EMERGENCY

**PUB HRG WAIVED**

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

**MINUTES OF THE MEETING APRIL 8, 2024**

MEMBER MARIOL: Madam President, I move we adopt Ordinance #20.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #20. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#20 ADOPTED AS ORDINANCE NO. 71/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #20 is adopted. Ordinance #21, please.

O#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 72/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT \$23,914.53 IN GRANT FUNDS FROM THE 2024 OHIO AMBULANCE TRANSPORTATION PROGRAM; AMENDING THE 2024 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$23, 914.53 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 103024 2024 ARPA BONUS – PERSONNEL)

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #21. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#21 ADOPTED AS ORDINANCE NO. 72/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #21 is adopted. Number 22, Madam Clerk.

O#22. 3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 73/2024** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #232763, 2121 4<sup>th</sup> ST SE) **PUB HRG 4/8/24 @ 7:00 PM**

PRESIDENT BATES AYLWARD: Leader Mariol.

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MEMBER MARIOL: Madam President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #22. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#22 ADOPTED AS ORDINANCE NO. 73/20243**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #22 has been adopted. Number 23, Madam Clerk.

O#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 74/2024** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO 5210 18<sup>TH</sup> STREET SW IN PERRY TOWNSHIP; 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: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #23. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#23 ADOPTED AS ORDINANCE NO. 74/20243**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #23 has been adopted. Number 24, please.

O#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 75/2024** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #8300070, 2234 FAIRCREST ST SW) **PUB HRG 4/8/24 @ 7:01 PM**

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #24.

**MINUTES OF THE MEETING APRIL 8, 2024**

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #24. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#24 ADOPTED AS ORDINANCE NO. 75/20243**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #24 has been adopted. Number 25, please.

O#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 76/2024** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS NEEDED TO CLOSE OUT THE MARKET AVE WIDENING, GP 1194 PROJECT AND TO ENTER INTO ANY AGREEMENTS NECESSARY TO FINALIZE THIS PROJECT WITH ODOT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #25.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #25. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#25 ADOPTED AS ORDINANCE NO. 76/20243**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #25 is adopted. Finally Madam Clerk, Ordinance #26.

O#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 77/2024** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CITY WIDE, 1620 MARKET AVE S, 1003 CHERRY AVE NE, 2213 GAGE AVE NE)  
**PUB HRG 4/8/24 @ 7:02 PM**

PRESIDENT BATES AYLWARD: Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #26.

**MINUTES OF THE MEETING APRIL 8, 2024**

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #26. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

**#26 ADOPTED AS ORDINANCE NO. 77/20243**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #26 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT BATES AYLWARD: We are now under Announcement of Committee Meetings. Our next meeting date is April the 15th, 2024. Committee Meetings will start at 6:45. Uh... Community & Economic Development.

MEMBER HAWK: Community & Economic Develop... (*turned on mic*). Excuse me, Community & Economic Development will meet 6:45, 4-15-2024.

PRESIDENT BATES AYLWARD: Thank you, Member Hawk. Personnel Committee.

MEMBER KIMBROUGH: Yeah, Personnel Committee will meet at the same time and same place. Thank you.

PRESIDENT BATES AYLWARD: Thank you.

**MISCELLANEOUS BUSINESS**

PRESIDENT BATES AYLWARD: We are now under Miscellaneous Business. Is there any Miscellaneous Business anyone would like to discuss at this time.

UNIDENTIFIED VOICE: Ma...

MEMBER CHRIS SMITH: Yes, Miss...

PRESIDENT BATES AYLWARD: Yeah, well... Mem... Miss... uh, Smith. (*Laughs*)

MEMBER CHRIS SMITH: Oh... okay, yes. Uh... Madam... (*laughs*).

PRESIDENT BATES AYLWARD: Chris Smith.

MEMBER CHRIS SMITH: Madam President, there are a few things that I would like to say. First of all, I'd like to welcome the mushroom lady to Ward 4.

PRESIDENT BATES AYLWARD: Yes.

MEMBER CHRIS SMITH: Thank you so very much for wanting to come and be a part of it. And I know we'll be hearing from you soon about those mushrooms. Thank you.

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PRESIDENT BATES AYLWARD: Yum!

MEMBER CHRIS SMITH: Also... um, I'd like to thank each and every one of you that participated in the ribbon cutting ceremony on Saturday with the opening of the Gonder site. But, I failed to recognize some key people that was there, and they also made this happen. The one main person is Director Perry, which always see to it that the city is safe, and no matter what is going on, and she was there and I appreciate you being there. Also, our... uh, Community Development Director... uh, Miss Sherice Freeman. Thank you so very much for being there. And another key person, I wish he was here, but I hope that someone let him know and I'll call him, and that's Fonda P. Williams...

PRESIDENT BATES AYLWARD: (*Chuckles and claps*)

MEMBER CHRIS SMITH: Because Fonda was a great person in beginning... uh, of... of the store and helping us to get it going. I would hope that each and every one of you that did not come to the ribbon cutting ceremony, be a part and come down and just see what has been... I say it was a hope and a dream that came true and that's the opening of the Gonder site. Thank you so very much for all of you that showed up and supported... uh, at the previous Administration. Thank you so very much.

PRESIDENT BATES AYLWARD: Thank you so much, Member Smith, and it is phenomenal. Let's give it a round of applause cause it was really... (*applause*)... it's something. It's been a long time coming, hasn't it?

MEMBER CHRIS SMITH: Yes, it has.

PRESIDENT BATES AYLWARD: Yes, it has. Uh... anyone else have something under Miscellaneous Business?

MAYOR SHERER: Madam President.

PRESIDENT BATES AYLWARD: Yes, Mayor.

MAYOR SHERER: I want to give you a shout out, Chris. You did a fantastic job Saturday, but this is a compilation of everybody coming together and what can happen. And this is the first step in many battles yet to be fought of solving the food desert issues in our community, but also healthcare. When you think about the worst infant mor... mortality rates that we have in this area... that's down in that area, this is the first step of solving those issues. And we still got a long way to go. There's no doubt about that. And also, I want to welcome our new Communications Director, Christian Turner.

MEMBER CHRIS SMITH: Alright!

PRESIDENT BATES AYLWARD: Oh, hi! (*Applause*)

MAYOR SHERER: So, very excited to get... Christian's first day was today, and very excited to get her started and we are gonna start communicating a lot better in the City. So welcome... welcome, Christian.

PRESIDENT BATES AYLWARD: Welcome, Christian. Yay! (*Applause*) Thank you, Mayor. Yes, Member Kimbrough.



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MEMBER KIMBROUGH: Oh... I just wanted to say that... uh, I am very happy with what went on today. We had an eclipse... uh, doesn't come often in downtown. There was a wonderful turnout for the eclipse at the Centennial Plaza, and it was great for the families to see everybody out with their glasses and to actually see it get dark for a hot second. And the street lights did come on...

PRESIDENT BATES AYLWARD: Yes, they did.

MEMBER KIMBROUGH: So I thought that was a great thing, the Downtown Association and the... and all the food trucks that were there. And I think everybody that played a part to make that happen, I thank them, and it was another great adventure. And the weather cooperated.

PRESIDENT BATES AYLWARD: Thank you, Member Kimbrough. Thank you. Does anyone else have anything for Miscellaneous Business?

MEMBER MARIOL: Madam President.

PRESIDENT BATES AYLWARD: Yes, Leader Mariol.

MEMBER MARIOL: First, I want to commend Member Kimbrough and Member Morris for all of you guys' work on the hiring process. Um... you guys did a terrific job. This was incredibly smooth. I think we got a great... great hire, and I really, really want to take my hat off to you two. So thank you so much for... for all you did during this process.

MEMBER MORRIS: Thank you, Leader.

MEMBER MARIOL: Um... I wanted to make a remark to the residents who have been coming down and speaking about the Israeli... uh, Gaza conflict. Um... our city is a vibrant tapestry of diverse voices, and I deeply appreciate the engagement of the residents who have come to speak on this issue. I want to let each of you know that we hear your concerns. The ongoing conflict in the Middle East weighs heavily on all of us. We've heard both from our Jewish community and our Palestinian community about the deep pain this war has caused. As a local governing body, we recognize that foreign policy decisions are beyond our purview, especially with a conflict such as this one that has a long history of hostilities that seem to restart as fast as they are paused. Our body does not have the international diplomatic sophistication to draft an informal resolution that not just calls for a ceasefire that inevitably will be broken, but actually incorporates ways to establish a permanent peace. Lacking that ability, any informal resolution not only would be non binding, unenforceable and outside the purpose of informal resolutions, but it runs the risk of alienating a portion of our community. With that being said, we are not indifferent to the pain and suffering experienced by countless families affected by this strife. In response to your ad... advocacy, members of this body have taken action. Council Members crafted a Communication that will be sent to our Congressional Delegation from our office on our official letterhead. This official Communication expresses a desire for peace, stability and humanitarian relief in the region. It will be sent to the individuals that decide many of the policies you all have voiced concern or opposition to. Let's remember that dialogue and diplomacy are powerful tools. While we refrain from an informal resolution, our commitment to empathy and understanding remains unwavering. By engaging with Congressional officials, officials who decide these issues, that will hopefully contribute to a more peaceful world. Thank you for your passion and your dedication. Together we can foster bridges of understanding, even when the path is challenging. Thank you.

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PRESIDENT BATES AYLWARD: Thank you very much. Are there any other remarks under Miscellaneous Business: Hearing none... Leader Mariol.

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.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Madam President.

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

ADJOURNMENT TIME: 7:55 PM

ATTEST:

APPROVED:

JILL M. WOOD  
CLERK OF COUNCIL

KRISTEN BATES AYLWARD  
PRESIDENT