

**MINUTES OF THE MEETING MAY 20, 2024**

PRESIDENT BATES AYLWARD: Good evening ladies and gentlemen and welcome to Canton City Council. If everyone would please turn your cell phones to vibrate. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

PRESIDENT BATES AYLWARD: Okay, roll call vote please, Madam Clerk.

*ROLL CALL TAKEN BY CLERK WOOD:*

10 COUNCIL MEMBERS PRESENT: ( JAMES BABCOCK, LOUIS GIAVASIS, CRYSTAL SMITH, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, JONATHAN COOKS & RICHARD SACCO)

TEN COUNCIL MEMBERS PRESENT (MEMBER MARIOL AND MEMBER MORRIS ABSENT)

CLERK WOOD: Ten present, two absent, Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk, Leader Babcock.

MEMBER GIAVASIS: Madam President, I move we excuse Member Mariol and Member Morris are excused from this evenings meeting.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It has been moved and seconded to excuse Member Mariol and Member Morris from tonight's meeting. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Member Mariol and Member Morris are excused from this evenings meeting. Before we move on to our normally invocation um ... we want to acknowledge, we have lost of member of our Canton City family. One of our safety services and I'm going to call on Member Sacco to um ... lead us in a moment of silence for his loss. Member Sacco, please.

MEMBER SACCO: Yes if we could have moment of silence for Jared Neil. He was uh ... on the fire fight for about nine years. He passed away on Friday, so if we can have just a moment of silence, I'd appreciate it.

**(MOMENT OF SILENCE)**

MEMBER SACCO: Thank you, Madam President.

PRESIDENT BATES AYLWARD: Thank you, Member Sacco, and we're going to keep his family of course... I know he had many children so keep them in our prayers. Tonight's invocation will be given by Ward 5 Council Member, Robert Fisher. And if you would all please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on May 20, 2024 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill Wood. The invocation was given by*

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Ward 5 Council Member, Robert Fisher. 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 Babcock.

MEMBER GIAVASIS: Madam President, I move Rule 22A to be suspend to add second readings Ordinances #17 through Ordinances #20 to this evening's agenda.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to add second readings Ordinances #17 through #20 to this evenings agenda. Are there any remarks? Hearing none remarks, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinances #17 through 20 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.

**OLD BUSINESS**

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

**PUBLIC SPEAKS**

PRESIDENT BATES AYLWARD: We are now under Public Speaks, and we have 10 speakers this evening. Um ... May of you have spoken before, but I will reiterate, please approach the podium when I call your name, you have three minutes to speak. State your name and residential address. And please be mindful of your time so everyone has the opportunity to speak because we do have ten speakers tonight. Our first speaker is David Kerestes. Mr. Kerestes.

DAVID KERESTES: Hello, 626 uh ... Walnut Ave North East Canton, Ohio I'm here tonight because I've been here speaking about how I was beaten at the Rikers building as a minor and signed a document stating that I would sue a coach who was protecting drug dealers on the athletic football team in Perry. And so I had to deal with Jim Rydel beating my wife, a Desert Storm veteran and champion cop. And I got no justice for that. You give the Pledge of Allegiance every time you come here and say 'Justice for all.' But I've gotten nothing. And I sit here and look at what I wrote down on this paper. When (*inaudible*) drove up on Monday, October 25th at 4:10 and told me he was going to kick me off the bus garage because I was watching crack heads and dealers walking on there and not paying, and passing little stuff under the glass. And I'm asking them why they're not turning on (*inaudible*) and violating federal laws. Anyway, I want to go into this right now: Sheetz building corporation, I worked for. You guys are talking about federal funds; I'm standing here with freaking benefits being taken out of my paycheck, and I was never in the union. The Huntington fund was stolen; I listened to my father and my uncle John talk about the money that disappeared on Route 30, which was supposed to connect to Pittsburgh. I think Belden and Harmon sucked that up. And I want to go into the FBI here again, one more time: (*inaudible*) lying in bed with the Mob. The FBI headquarters knew that 20 years ago; this was written in the '70s. Now we have all this chapter 505-491, Officer negligent in performance of official duty sliding by. We

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have federal laws being broken by state officials sliding by. I had my daughter getting beaten black and blue, and that was slid by too. I mean, I don't know what you people sit up here to do when we go to Internal Affairs to get help; we get nothing but turned the other way because we're not one of your family members or friends. That isn't justice; that's just you planning a game. Um... as far as military experience, this says I have none. I was flown into Lakehurst, England, in 1970, and I took an oath to my force in the Green Berets to look into the drug dealing from Delta Force. I was (*inaudible*) in 1977 while Stamford's own Mick Mckenny took me to (*inaudible*) two dead friends and a whole lot of drug deals, right to Uh ... Lieutenant Jerry Wishes' son-in-law, Tom West, living above Copper, selling cocaine for three years before Joey (*inaudible*)

PRESIDENT BATES AYLWARD: Ten Seconds

DAVID KERESTES: Judge (*inaudible*) nephew had is third firing (*inaudible*). FBI needs to be vacated around here. Thank you.

PRESIDENT BATES AYLWARD: Thank you. **\*Buzzer\*** Our next speaker is Linjun Xu. If you'll please state your name and residential address.

LINJUN XU: Hello, my name is Linjun Xu. L-I-N-J-U-N my last name is spelled X-U. My residential address is 97 Annadale Ave um ... Akron, Ohio. I just have some questions with Um ... for the Director of Law and also for the HR department. I see that on the performance/expectation page of the employee handbook, it says number six: maintain a courteous and professional demeanor and behave in a cooperative and helpful manner. And then I see on the internet that the City of Canton has many job postings, some of which include customer service clerk, general labor, and public health technician. Um... what are the best steps or who should I go to in the City of Canton to better understand Um ... some of the questions I have regarding the City of Canton employee handbook? I have questions and I ask questions to the City of Canton, but sometimes they email me back and some of the responses are not very informative for me, and I really do have a lot of questions and curiosities regarding the City of Canton employee handbook and general procedural questions and I just I'm ... I would really be grateful if the City of Canton could better help me understand my questions and concerns regarding general procedures. Mr. Law Director.

PRESIDENT BATES AYLWARD: Uh ... You're not going to be able to address individual people as you know, we don't ha ... engage in discussion or anything like that. This is for you to voice your opinions and feel free to contact HR or Law Department after this.

LINJUN XU: Okay, I'm sorry

PRESIDENT BATES AYLWARD: This is for you to voice your opinions and feel free to contact HR or Law Department after this.

LINJUN XU: Oh okay, I-I have though in February 2024 and also before.

PRESIDENT BATES AYLWARD: Yes

LINJUN XU: Uh ... I will visit in person again as well. Thank you so very much for your time.

PRESIDENT BATES AYLWARD: Thank you. Our next speaking is Eric Resnick

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ERIC RESNICK: Eric Resnick, and the address is 1828 Grace Ave NE. Madam President, Leader, Members of Council, Madam President, Leader, Members of Council, I'd like to start out this evening by congratulating all of the graduating seniors in the Canton City School District. I think graduation is tomorrow night; we need to do that as a community, for them Um ... And then I'd like to share I know you can't read this, but I will read it to you this is a quote by German Lutheran theologian Dietrich Bonhoeffer, who was killed in the Holocaust. He said, 'Silence in the face of evil is itself evil. God will not hold us guiltless; not to speak is to speak, not to act is to act.' You know, I want to talk this evening about what opponents of a ceasefire resolution keep holding on to. We keep ... We keep hearing that you're just the city Council, you don't get involved in international affairs; it's not your thing. And that would be a really compelling argument if it were true, but it's not true. On March 21, 2022, Canton showed support for Ukraine with flags and city lights. This was about a month after the Russians started their operation in Ukraine. Councilman John Mariol the Second was contemplating ways to show solidarity with Ukraine while driving along Market Avenue and saw the street light flags as an opportunity. 'Just to remind us all, every day, that there are people fighting for values that we consider American values, and that we should have them in our thoughts and support them if we can, anyway we can,' Mariol said. The city purchased about 25 flags for \$10 each on Amazon and placed them between US flags on Market Avenue, near the Tuscarawas Street and US Route 62 intersection, where flags are flown for festivals and special events. See, they even spent money on them; we're not asking you to spend money. Decorative lights... Well, let me just skip here. City Engineer Dan Megale said, 'We want to let those folks know, best we can, that we're concerned about them; we're supportive of them, certainly; we have them in our thoughts and our prayers.' So, what is it about Palestinian lives that makes them worth less than Ukrainian lives? That's the question I pose to you this evening. And finally, as my time is winding down, let this be the night that Canton commits to justice for Frank Tyson and a free Palestine *\*buzzer\** resolution, and justice for all of us.

PRESIDENT BATES AYLWARD: Thank you Mr. Resnick. (*Applause*) Our next speaker is Abdallah Masri. Mr. Masri, again state your name and residential address, thank you.

ABDALLAH MASRI: Hello everyone, (*inaudible*) Abdallah Masri, 3892 Mount Pleasant Street South West. Um ... I'm here again, um ... for kind of the same topic and different topic. Um ... last night I was on call in the hospital, and at 2:30 am, a patient coded, meaning he had a cardio-respiratory (*inaudible*). I went there, and the patient had an unstable, deadly heart rhythm, so it was either we shock him with electrical shock or let him die. Indeed, we shocked him with a lightning strike of 200 joules, and he screamed so badly everybody in that unit heard him. The team and I saved his life, of course, with the will of God, but I really felt bad for that moment of shock; I really felt bad for that pain that he suffered. Um ... the reason I'm bringing up cardinal (*inaudible*) and um, coding, and what we do when you have a collapsed patient, is everybody who ever learned about um ... saving lives, or CPR, or ACLS, or paramedic work, and probably every legal officer knows that when you approach somebody who is collapsed, you start with ABC. A is airway, B is breathing, and C is circulation, and this is pure medical talk; this is a lesson everybody should know. Because a loved one can always, God forbid, collapse. A is airway; the first thing you want to see when approaching a collapsed patient is to check their airway. B is breathing, and C is circulation. Um ... for some reason, these three are addressed but compromised rather than preserved in some of our beliefs and encounters. A, airway, knee on neck, complete collapse of the airway; a minute later, I can't breathe for B and C; circulation, I'm dead. We have lost so many people, too many; one is too many; we have lost too many people to this tactic. This needs a really serious and scientific effort to look at it and perhaps banning the knee-on-neck tactic. I'll stop here and touch on the ongoing genocide in Gaza and ongoing military offenses in uniform, despite all the warnings and all of the American um ... signs, and all signs from everyone at that matter, and I would continue to emphasize on the importance of a ceasefire and free Palestine and divestment from our relationship with that occupation. Um ... that's all I have for tonight. Thank you.

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

AHMED CHEEMA: Ahmed Cheema, 5155 Foxchase Avenue North West Canton. Respected Council Members and fellow community members, Shalom Alaikum, and peace be with you. I'm here to address two topics: one is the need for police training, specifically on nonlethal subject restraint, and the second is the ongoing genocide in Gaza and our request for a ceasefire resolution. We entrust our Police Officers to protect us, to uphold the law with courage and compassion. Yet, across the nation, a deadly practice has become a stain on that badge: the prone restraint technique of subject restraint, where a person is pinned face down, often with a knee on their back or neck. This isn't just about discomfort; it's about life and death. Hundreds of people have died from asphyxiation, as Doctor Masri earlier explained, during police encounters where they were placed in a prone position. Hundreds of lives extinguished by a restraint tactic that prioritizes control over safety. Most of these unfortunate individuals, like Frank Tyson, were black men. Listening to stories and offering condolences is not why we are here; we need action, and we need it now. This council has the power to act for meaningful change; we urge you to pass legislation that bans the use of these prone restraint tactics. Additionally, require mandatory de-escalation training for all Police Officers, emphasizing conflict resolution tactics over brute force. This isn't about vilifying our Officers; it's about equipping them with the tools they need to effectively serve and protect our community. Let us honor the oath they take to protect and serve, ensuring they have every opportunity to do just that. Let us rewrite the narrative; let Canton become a model for a safer and just future for all. We look forward to the letter that the Council is updating with language that does justice to the real situation in Gaza, the humanitarian and disaster, in addition to the ceasefire resolution vote. And, as Reverend Al Sharpton said, 'Without justice, we'll just be known as the hall of shame city, not the Hall of Fame city'.

PRESIDENT BATES AYLWARD: Thank you, (*applause*) *\*buzzer\** our next speaker is Brother Yacob. And if someone could please assist him with the microphone. Thank you very much Mr. Cheema

BROTHER YACCOB: Shalom Alaikum Brother Yacco, 515 5<sup>th</sup> street North West, Canton, Ohio. And I'm really happy to be a resident in this city for 37 years. I want to follow up with my three brothers, who said something about subject control training. Now, this training, from what I understand, is only online - only online - for our police officers in the city. I suggest actual biweekly or monthly training for our police officers in the gym to practice and hone their skills in subject control. This will bring confidence to them when they are going into a possible lethal situation, which they do many times in our society, and they'll have the confidence to control it peacefully without killing. This can be eradicated; we have the intelligence, we have the ways and means to end this killing. I could add some other words for it, but I'm not going to do that. Also, okay, we must replace online training with in-person training. In recent years, a lot of police training has been transitioned to online videos or online reading materials. In-person, realistic, scenario-based training is leaps and bounds more beneficial than looking at a computer screen. Also, I believe that the more training officers have, and the more confident officers are in their skills, the more proficient they will be at protecting both themselves and the citizens they serve. And I... whatever we have to do, or whatever you have to do, I ask with a full heart, full heart, please make the knee to the neck lethal force and ban it, outlaw it, whatever you have to do. They cannot do that - put the knee to the neck or put the knee in the back. As our good doctor said, it'll kill people when they're on their face or arms behind their back; they can't breathe. And they say, 'I can't breathe, I can't breathe, I can't breathe, I can't breathe'.

AUDIENCE MEMBER: What's his name?

JOINING AUDIENCE MEMBER: Frank Tsyon

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BROTHER YACCOB: Now I say this with respect, I do not want to go against our police force, I know a lot of policeman and they are good men. Good men, we have provide them *\*buzzer\** Thank you.

PRESIDENT BATES AYLWARD: Thank you very much. (*applause*) Our next speaker is, Nicole Dietz and if you would please approach the podium and give your name and residential address. Thank you.

NICOLE DIETZ: Nicole Dietz, 2524 View Court North West street North West Canton, Ohio. Greetings, ladies and gentlemen. My name is Nicole Dietz, and I own Fromage Du Monde on 4th Street Northwest. I'm here to discuss the recent vandalism that has occurred on numerous occasions on my street, as well as throughout downtown in general. I am joined by several other business owners from Fourth Street to bring to your attention that we have been repeatedly targeted by vandals, and in two cases, the vandalism has been accompanied by theft. On January 13th and April 14th, Tyrona Skillard arrived at her shop to find the front window broken and the retail items inside missing. On May 10th, Holly Misneack arrived at work to find two windows broken out of her storefront at the Daffodil Room, with a piece of concrete laying inside her store. On May 18th, I arrived at my shop to discover that my front window had been broken in several spots, and a brick lay inside my showcase. Each time this happens, my landlord, Mike King, goes to the effort and expense of replacing our windows, and each time we file a complaint with the Canton City Police Department. The incidents previously discussed are specific to 4th Street, but we know that our neighbors at Just Imagine on Market Avenue and Stark Fresh on Cherry Street have also been vandalized. We came today to ask for your assistance. Although there is a camera on Cleveland Avenue and 4th, it does not pick up faces on our block, only figures. We are requesting a camera or two to be strategically placed on 4th Street Northwest that will record activity on our block and be able to discern faces at night. We would also like to request an increase in police presence between the hours of 12:00 am and 6:00 am. We understand that your resources are limited, but so are ours, and as business owners, we took a risk by bringing our brands, our dollars, and our customers to downtown Canton. By and large, customers and visitors are deterred by broken glass and boarded windows, both of which we've all been dealing with quietly for seven months. Our efforts for a safe and welcoming street in downtown Canton are undermined with each unaddressed incident. We ask that this matter be taken seriously, and that safety measures be implemented to protect us, as well as our investments. Thank you.

PRESIDENT BATES AYLWARD: Thank you very much. Our next speaker is Tina Rhodes. Mrs. Rhodes, if you would approach and give us your residential name and address please, thank you.

TINA RHODES: Tina Rhodes, 2227 Strasser Place South West, Canton, Ohio. I'm again about the homeless coffee shop at 8000 Smith Avenue Southwest; things are not getting better since I was here last month. On May 4th, a person passed out from drugs; he hadn't moved for some time, and we couldn't tell if he was breathing, and someone called 911. Luckily, he was alive. Um... May 5th, my son was woken up at 7 am by a loud argument between a man and a woman at the coffee house; later that day, the police had to be called because the same man was beating up the same woman at the coffee house. Um... The police have been there several times just in the month of May. There's constant fighting and drugs between people who use the homeless coffee house; I have seen these people shooting up by the (*inaudible*) on the coffee house property. And sometimes they'll walk from the coffee house to the back of the total living center to the steps or between the walk and the freezer and will shoot up and then go back to the coffee house after they're done shooting up. I'm now seeing cars drive up and buy drugs from some of these people who hang out at the coffee house, and on one occasion, I saw a car drive up, and one of the persons there bought drugs. Now, these people are also walking the alley, which is not really important, but they stand there and sit on their bikes, blocking the way through; cars have to stop and wait till they're ready to move. And then, on May 18th, a woman pulled down her pants outside of the coffee house, squatted, and peed; my grandchildren and I were there when it happened, and someone called the police. She just... she didn't even care; the police came, they went inside, but she took off out the front before

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they could get to her to talk to her or whatever; she went out the front when they went in the back. Um... this has to stop; the place needs to be shut down; it does not belong in a residential neighborhood; the coffee house is putting children and adults in danger with all the drug use, drug buying, and selling; who knows what these meth addicts, heroin addicts, and crack addicts will do under the influence of these drugs. I know we're expected to record all of these incidents, but it all happens so fast, and I know that I can't afford to buy the kind of equipment I need to record everything 24 hours a day; it is very expensive. My neighbors, my family, are entitled to deserve ... and deserve a peaceful, safe life, and with the coffee house there, it's not possible. And there are a lot more incidents going on; I just can't think off the top of my head of what they are, but just things all the time. And I saw a man, actually, I think the one tall man, take out a crack pipe and smoke his crack while they were open. And a lot of these things... *\*buzzer\** Thank you very much

PRESIDENT BATES AYLWARD: Thank you. (*applause*) Our next speaker is Sierra Mason. Mrs. Mason, if you would approach and give us your name and your residential address please.

SIERRA MASON: Sierra Mason, 2110 Market Avenue North. It's just my name and address?

PRESIDENT BATES AYLWARD: Pardon?

SIERRA MASON: And what else? My name and address and what else? That's it? Okay um ... First Canton Ohio we got a problem, I've heard quite a few speakers speak tonight as you have and all of the issues are a result of (*inaudible*) experience and social determinates upheld we have a lack of resources well um .. actually let me mw rephrase that we don't have a lack a resources we have a lack of ... a lack of connect in Canton and if we had more connect in our city our city would not be suffering nearly as much as it would. Buts lets address the topic that I'm really here for today, I'm here today with heavy hearts of the Frank Tyson family. To address the pressing issue that that continues to reach havoc over our community, the tragic and unjust murders of individuals' at the hands of law enforcement. It is a Canton reality that we simply cannot ignore. The Recent incident of Frank Tyson that we morn today, were another man fell victim to police brutality serves as a painful reminder of the systematic issues that we have long plagued our law enforcement agencies in out syst ... our city. We must stand united and fight against all of these acts of violence and demand accountability but it starts with ourselves so I encourage you to take accountably of yourselves and the Wards that you serve and the cities th ... the city that you serve this community has been crying out for help for years and there's not enough that's being done actively every day. I know there's a lot going on behind closed b-b-behind closed doors that we don't know about but the city needs each and every one of you to speak up against depressing issues that we ... we deal with every day, As we confront the harsh reality we must also remember that change is possible. We must push to reform or dismantled that promote transparency, accountably, and truly unbiased policing practices. We must advocate for justice for the victims Derrell Ross, Jervan Nero, Zach Fornash, James Williams and now Frank Tyson. Their families everyday have to suffer and now its are job to continue to create a future where travesty ... tragedies like this are in the past, lets not forget the names.

PRESIDENT BATES AYLWARD: Ten seconds.

SIERRA MASON: Let's not forget our community let's not forget the power that we have in our hands. Please use it. *\*buzzer\**

PRESIDENT BATES AYLWARD: Thank you. (*applause*) Our next speaker is Member Christine Smith but, she will be speaking from the podium as she will be speaking as citizen Smith

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CHRIS SMITH: As I'm walking up (*inaudible*) (*applause*) And I would also like to acknowledge Frank Tyson's family over here you all already know you have my deepest sympathy. I am Christine Smith at the present right now behind this podium. My address is 458 Waynesburg Road South East, Canton, Ohio. I stand before you speaking as a resident and a citizen of the great city of Canton, and we want it to stay that way as the great city now, were not here protesting because we feel that that is not what we need to do. What we need to see and hear that justice be done for Frank Tyson. And I say that because during the time when Mr. Williams passed it was three of us that got up and we walked out (*applause*) there was nothing done about it. (*outburst of yelling from audience members*) there was nothing done about it

PRESIDENT BATES AYLWARD: Let her speak

CHRIS SMITH: But clearly Mr. Tysons incident is clearly seen and heard by the citizens and by his family. Now I stand before you because I believe that we can talk sensibly and you can hear us without a lot of protest and all of that. All we really want to see done here in Canton is justice served for Frank Tyson. (*applause*) now I know many of you have seen the video and I'm really speaking to the seasoned Council Members' that's sitting up there

AUDIENCE MEMBER: C'mon Chris, c'mon Chris.

CHRIS SMITH: Before us and the reason why I'm saying this to you all is because we have sat here a lot of times and said nothing and done nothing. But now is the time for us to do something. Now I know that there are some good policeman/safety forces but we do not need one bad apple in that force to just create a whole bad scene of safety forces. I beg you I beg you for those of you that have the power what needs to be done and that is Justice for Frank Tyson. Thank you. (*applause*)

AUDIENCE MEMBER: (*yelling inaudible*)

AUDIENCE MEMBER: Justice for Frank Tyson.

AUDIENCE MEMBER: No justice, no peace.

AUDIENCE MEMBER: No justice

AUDIENCE MEMBER: No peace

AUDIENCE MEMBER: No justice

AUDIENCE MEMBER: No peace

AUDIENCE MEMBER: No justice

AUDIENCE MEMBER: No peace

PRESIDENT BATES AYLWARD: Thank you very much. We need to restore order, thank you.

AUDIENCE MEMBER: No justice

AUDIENCE MEMBER: No peace



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AUDIENCE MEMBER: No justice

AUDIENCE MEMBER: No peace

AUDIENCE MEMBER: Say his name

AUDIENCE MEMBER: Frank Tyson

PRESIDENT BATES AYLWARD: Thank you very much um ... Member Smith um ... Citizen Smith thank you for your remarks. Alright and thank you to all of our speakers, we appreciate it.

**INFORMAL RESOLUTIONS**

PRESIDENT BATES AYLWARD: We are now under Informal Resolutions and we have two for this evening. Madam Clerk would you please read Informal Resolution number one by title

1. CONFIRM REAPPT OF MR. ZACHARY J. MALLOY TO SYSTEMS PLANNING BOARD COMMENCING 5/20/24 TO 5/31/26. – ADOPTED

PRESIDENT BATES AYLWARD: Thank you. Leader Babcock.

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

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #1. Are there any remarks? Hearing none by voice vote all those in favor signify by saying aye. Those oppose no.

NO REMARKS

RESOLUTION #1 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it and the motion carries and Informal Resolution #1 is adopted. Alright did we have two or just one today. Madam Clerk? I'm sorry my script was incorrect. Okay.

MEMBER BABCOCK: One.

PRESIDENT BATES AYLWARD: Madam Clerk? I'm sorry my script was incorrect. Okay.

**COMMUNICATIONS**

PRESIDENT BATES AYLWARD: We are now under Communications. And 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 MAY 20, 2024.***

2. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR APRIL, 2024.- CHIEF BENNETT

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3. REQ CITY OF CANTON INTERIOR RENOVATION & PUBLIC REALM PROG; EMERGENCY (SUPP APPROP FR 1001 GENERAL OPERATING FUND TO 1001 200501 GENERAL GOV'T SUPPORT ADMIN; 2175 COMPREHENSIVE PLAN FUND TO 2175 200501 GENERAL GOV'T SUPPORT ADMIN). - FINANCE DIRECTOR CROUSE
4. REQ D5 D6 LIQUOR PERMIT TRF FROM BRUNOMARIA INC DBA ARCADIA GRILL & BSMT & PATIOS TO K&A STEAD LLC DBA ARCADIA GRILL & BSMT & PATIOS @ 321 COURT AVE NW 1ST FL, (WARD 2). - LIQUOR CONTROL DIV
5. REQ NEW C2 LIQUOR PERMIT FOR MURPHY OIL USA INC @ 3220 ATLANTIC BLVD NE, (WARD 6). - LIQUOR CONTROL DIV
6. REQ NEW C2 LIQUOR PERMIT FOR SHREE RADHARAMAN INC DBA MINI FOOD MART @ 905 HARRISON AVE SW, (WARD 5). - LIQUOR CONTROL DIV
7. REQ APPROP FOR DEMOLITION OF 602 12TH ST. NE; EMERGENCY. - SAFETY DIRECTOR PERRY
8. REQ 9TH ST. SW BRIDGE REPLACEMENT PROJ, PID 112849, GP 1298 - CHANGE ORDER #3; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
9. REQ 11 ST. SE INTERSECTION AND ROADWAY IMPROVEMENT PROJ, PID 90465, GP 1144 - CHANGE ORDER NO. 4; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
10. REQ EAST SIDE PARKS TRAIL, GP1131 RIGHT-OF-WAY ACQUISITION AUTHORIZATION; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
11. RPT OF PARKING METER REVENUE FOR 4/30/24. - TREASURER PEREZ
12. RPTS OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 4/30/24. - TREASURER PEREZ

**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. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY IN THE CITY OF CANTON LAND REUTILIZATION PROGRAM TO MARY L. ARGABRIGHT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee

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- O#14. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY IN THE CITY OF CANTON LAND REUTILIZATION PROGRAM TO HABITAT FOR HUMANITY EAST CENTRAL OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- O#15. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 106/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH JSC PROPERTIES LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- O#16. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 107/2024** AN ORDINANCE ESTABLISHING THE "JSC PROPERTIES, LLC NON-SCHOOL TIF," AUTHORIZING FINANCING AND MAINTENANCE OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET. SEQ., OF THE OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee

CLERK WOODS: Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. At this time the Chair would declare an in-house recess for the Community and Economic Development Committee to meet in regard to Ordinances #15 and #16 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:40 PM FOR THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO MEET IN REGARDS TO O#15 and O#16; RECONVENED AT 7:42 PM)***

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

MEMBER BABCOCK: Madam President, I move we suspend Rule 22A to place Ordinance #15 and 16 back on this evening's agenda.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to place Ordinance #15 and 16 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. The motion carries and Ordinance #15 and 16 are a legal part of your agenda. Leader Babcock.

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MEMBER BABCOCK: Madam President, I move we suspend Statutory Rules on Ordinance #15 and 16.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to suspend the Statutory Rules on Ordinance #15 and 16. Are there any remarks? ...Hearing none, roll call vote, please, Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

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

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #15.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #15. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#15 ADOPTED AS ORDINANCE NO. 106/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #15 has been adopted. Leader Babcock

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#16 ADOPTED AS ORDINANCE NO. 107/2024**

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.

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**NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #17 THROUGH #20 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: ( O# 17, O# 19, AND O# 20 ADOPTED)**

- O#17. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 108/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. IN AN AMOUNT NOT TO EXCEED \$250,000 UTILIZING ISSUE 13 COMPREHENSIVE PLAN NEIGHBORHOOD FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#18. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$6,999.16 SUPP APPROP FR UNAPPROP BAL OF 4505 2022 INFRASTRUCTURE BOND FUND TO 4505 202064 SVS CTR UPGRADE & RECON – OTHER; \$4,170,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861101 TOURISM DEV DISTRICT – OTHER \$1,230,000.00 TO 2190 861102 PACE FINACING – OTHER \$1,940,000.00; \$3,300,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 203001 CIVIC CENTER ADMIN – OTHER; \$23,914.53 APPROP TRF FR 1001 103024 2024 ARPA AMBULANCE BONUS - PERSONNEL TO 1001 103024 2024 ARPA AMBULANCE BONUS - OTHER
- O#19. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 109/2024** 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#20. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 110/2024** AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 5252 WATER SERVICE SHOP RENOVATION FUND TO RECEIVE ALL LOAN AND REVENUE PROCEEDS AND TRACK PROJECT EXPENSES IN AN AMOUNT NOT TO EXCEED \$2,087,230; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,087,230.00 SUPP APPROP FR UNAPPROP BAL OF 5252 WTR SVS SHOP BLD RENOV FUND TO 5252 207079 WTR SVS SHOP BLD RENOV – OTHER)

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. Leader Babcock.

MEMBER BABCOCK: Madam President, I move we suspend Statutory Rules on Ordinance #17, 19, and 20.

MEMBER GIAVASIS: Second.

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PRESIDENT BATES AYLWARD: It's been moved and seconded to suspended the Statutory Rules on Ordinance #17,19, and 20. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries. You have heard the three readings, Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#17 ADOPTED AS ORDINANCE NO. 108/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #17 has been adopted. Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#19 ADOPTED AS ORDINANCE NO. 109/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #19 has been adopted. Leader Babcock

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

MEMBER GIAVASIS: Second.

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

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#20 ADOPTED AS ORDINANCE NO. 110/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #20 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 #21.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ THE FOLLOWING ORDINANCES #21 THROUGH #24 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 111/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE , RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONTRUCTION OVERSIGHT SERVICES; AND EXECUTE A COST-SHARE AGREEMENT WITH PERRY TOWNSHIP FOR STREET PAVING; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR RELATED CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE CITY TO RECEIVE GRANT FUNDS IN THE AMOUNT OF \$600,000 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$900,000 FOR THE PERRY HEIGHTS AREA WATER MAIN REPLACEMENT PHASE 2; AUTHORIZING THE CITY TO RECEIVE ESTIMATED FUNDS IN THE AMOUNT OF \$350,000 FOR THIS PROJECT FROM PERRY TWP.; AUTHORIZING THE AUDITOR TO ESTABLISH FUND; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5253 PERRY HTS. WTR. PH. 2 WATER MAIN REPLCMT FUND TO 5253 207085 PERRY HTS. WTR. PH. 2 WTER MAIN REPLCMT – OTHER; \$1,310,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207085 PERRY HTS. WTR. PH. 2 WATER MAIN REPLACEMENT – OTHER (\$960,000.00), TO 529 207091 PERRY HTS. WTR. PH. 2 WATER MAIN REPLACMENT PAVING – OTHER (\$350,000.00)

PRESIDENT BATES AYLWARD: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#21 ADOPTED AS ORDINANCE NO. 111/2024**

O#22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 112/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRCTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, A WARD, AND ENTER INTO CONTRACT FOR THE ABANDONMENT OF COLLECTOR WELL #3 AT THE NORTHWEST WATER TREATMENT PLANT AND TO EXECUTE THE RELEASE OF EASEMENTS LOCATED AT 4105 SALWAY AVENUE NW; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.10 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#22 ADOPTED AS ORDINANCE NO. 112/2024**

O#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 113/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO AGREEMENT FOR THE PURCHASE OF STARK COUNTY AUDITOR PARCEL NUMBER 5200863 IN AN AMOUNT NOT TO EXCEED \$90,000 AND TO ENTER INTO ANY AGREEMENTS NECESSARY TO FACILITATE SAID PURCHASE; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$90,000 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECT FUNDS TO 4501 202001 ENGINEERING- ADMINISTRATION – OTHER)

PRESIDENT BATES AYLWARD: Leader Babcock.

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

MEMBER GIAVASIS: Second.



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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#23 ADOPTED AS ORDINANCE NO. 113/2024**

O#24 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 114/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO RENEW AN EASEMENT AND MAKE PAYMENT TO THE U.S ARMY CORPS OF ENGINEERS FOR A 50-YEAR RENEWAL TERM, BACK-DATED TO JANUARY 25, 2024; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#24 ADOPTED AS ORDINANCE NO. 114/2024****ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT BATES AYLWARD: We are under the Announcement of Committee Meetings. Our next meeting date is June 3<sup>rd</sup>, 2024 and Committee Meetings will start at 6:45PM, that evening. Council Office will be closed and no Council on May 27<sup>th</sup>, in recognition of Memorial Day. Uh ...Community and Economic Development Committee

MEMBER HAWK: Madam President, Community and Econo... Community and Economic Development will meet Monday June 3<sup>rd</sup> at 6:45.

PRESIDENT BATES AYLWARD: Thank you. Madam Clerk brings a good point to my attention since we don't have meeting on Memorial Day, we will be going on our summer schedule. Which means we will have meetings every other Monday, starting on June 3<sup>rd</sup>. So, mark your calendars. I don't want anyone to show up here and waste their time uh ... you know on those ... every other Mondays. That will continue through August. So that summer schedule, every other week starting on June 3<sup>rd</sup>.

**MISCELLANEOUS BUSINESS**

PRESIDENT BATES AYLWARD: We are now under Miscellaneous Business. And is there any Miscellaneous Business that any member would like to bring before the body? ... Hearing none, Leader Babcock.

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MEMBER BABCOCK: Madam President, I move we adjourn.

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you, this meeting is adjourned. (*Gavel falls*)

ADJOURNMENT TIME: 7:56 PM

ATTEST: 5/28/2024

APPROVED:

JILL M. WOOD  
CLERK OF COUNCIL

KRISTEN BATES AYLWARD  
PRESIDENT