

**MINUTES OF THE MEETING SEPTEMBER 9, 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 vote please, Madam Clerk.

*ROLL CALL TAKEN BY CLERK WOOD:*

9 COUNCIL MEMBERS PRESENT: (JAMES BABCOCK, LOUIS GIAVASIS, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, ROBERT FISHER, JONATHAN COOKS, RICHARD SACCO & FRANK MORRIS)

NINE COUNCIL MEMBERS PRESENT (MEMBERS MARIOL, CRYSTAL SMITH AND CHRIS SMITH ABSENT)

CLERK WOOD: Nine present, three absent, Madam President.

**EXCUSING MEMBERS**

PRESIDENT BATES AYLWARD: Thank you. Leader Babcock.

MEMBER BABCOCK: Where are ya'll at? Oh, Madam President I move to suspend Rule 22A to add ...

PRESIDENT BATES AYLWARD: No we have to excuse Members first.

MEMBER BABCOCK: Oh, I'm sorry.

PRESIDENT BATES AYLWARD: Sorry.

MEMBER BABCOCK: Madam President, I move we excuse Member Mariol and Member Crystal Smith, from this evening's meeting.

COUNCIL MEMBERS: And Chris Smith.

MEMBER BABCOCK: Oh.

PRESIDENT BATES AYLWARD: And we will add Chris Smith.

MEMBER BABCOCK: And Chris Smith

PRESIDENT BATES AYLWARD: Yes. And if Chris comes later we'll ... Okay alright uh ... It's been moved, is it seconded?

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to excuse Member Mariol, Member Crystal Smith and Member Chris Smith from this evenings meeting. Are there any remarks?... Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

CLERK WOOD: Nine yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you very much. The motion carries and Member Mariol, Member Crystal Smith and Member Chris Smith are excused from this evenings meeting. Tonight's invocation will be given by Council Member, Greg Hawk. Welcome back, Member Hawk, it's great to see you.

MEMBER HAWK: Thank you.

PRESIDENT BATES AYLWARD: If you'll you please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on September 9, 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, Greg Hawk. The Pledge of Allegiance was led by President Bates Aylward.*

**AGENDA CORRECTIONS AND CHANGES**

PRESIDENT BATES AYLWARD: Thank you, Member Hawk. We are now under Agenda Corrections and Changes. Leader Babcock.

MEMBER BABCOCK: Madam President I move to suspend Rule 22A to add second reading Ordinances #20 and #21 to this evening's agenda. Ordinances will be retained in Committee.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: Are there any remarks? It's been moved and seconded to suspend Rule 22A and add second readings of #20 and #21 to this evenings Agenda. I don't believe we are holding anything in Committee? Okay.

MEMBER BABCOCK: No.

CLERK WOOD: No.

PRESIDENT BATES AYLWARD: Alright, are there any remarks about adding these Readings? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinances #20 and #21 are a legal part of your agenda.

**PUBLIC HEARINGS**

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

**OLD BUSINESS**

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

**PUBLIC SPEAKS**

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

PRESIDENT BATES AYLWARD: Excuse me. We are now under Public Speaks and we have 12 speakers this evening. Most of you have been with us before, but for anyone who hasn't, when call your name please approach the podium, speak into our microphone, and state your name and residential address. You'll have three minutes to speak which you can monitor on the screen. So, thank you very much. Our first speaker is Ms. Kimber ... Kimberly Bell, Kim Bell. There she is, Ms. Bell, you are our first speaker. *(laughter)*

KIM BELL: Kim Bell, 1733 Morris Avenue. I'm late but I made it. Um .. I want to address a few things about the Town Meeting. First, you said ... he said he was working on this plan for two years. Whatever the plan was I forgot, the Mayor has been working on this for two years. How; when he's only been the Mayor nine months? I want to ... I do the math ... I want to figure that out. How was he working on it for two years and he's only been the Mayor for nine months? Was the election fixed and his daddy bought the election two years ago? Somethings not right with that. He's been working on it for two years ... hmm. So, and ... and another thing you know you're not going to get a message across at these Town Meetings, Mayor, because your Police Department is out of order. You can't get a word in edge wise because of the advocates and the protesters and people who are against this Police Department. You're not going to get any messages across about Economic Development, you can't get a word in edge wise because they throw the meeting off because you ... there's no control with this Police Department. Once you get ahold of this Police Department, I forget the formula when I was in middle school or high school, one thing effects the other. Once you get this Police Department together you might get some order but and then the ... and then the Police Chief ... I'm behind him but you go all the way on the Southwest side to apologize. I didn't hear any apologizes on the Southeast side so, let's ... let's ... let's talk about this. I mean you ... I - I ... the Mayor is always saying he's sorry. The sorr ... The "I'm sorries" and the Police Chief saying I'm sorry is not going to help. What's going to help is you start throwing those cops in jail they're going to take you serious. They're not going to take you serious if you keep apologizing after they do one thing after another. It's like a child, you take the toy away and they child keeps doing it until you tell that child ... spank that child or take the child ... the toy away for good the child has stopped. You got to learn to teach them a lesson and these are adults we talking, about not children. An adult knows not to kick somebody in the face. An adult knows not to use their body weight or their hands, their bare hands to kill a man. So, we are all adults here lets start acting like adults and be truthful with one another and ... and lets get serious about this. We're ... they're taking peoples lives and they're hurting families. Not only their ... the victim's family but their families too. The kids got to go to school with these kids. And Kristin Bates, before I leave, allow the people to speak. You ... you ... I mean they're just using words they're not using their body weight or bullets to kill nobody. You keep interrupting and ... and ... and hitting your gavel because cause you don't approve of what they're saying. As long as they're not threatening nobody on this ... in this Chamber you should let them speak. With all the tragedy that's been going on, *(applause)* let them speak! All they using is words, they're not using bullets, they're not using threatening remarks none of that. Goodbye, got to go back to work.

PRESIDENT BATES ALYWARD: Thank you Ms. Bell. Our next speaker is Mr. Daniel Gates, Mr. Gates. And if you could give us your name and residential address for the record please.

**(COUNCIL MEMBER CHRIS SMITH ARRIVED FOR MEETING)**

DANIEL GATES: My name is Daniel Gates, I live in the U.S Constitutional Republic. I come today to ... to clear the record ... oh my bad.

PRESIDENT BATES ALYWARD: Yes, if you would. Thank you.

DANIEL GATES: Being quite today *(laughter)* So, I ... I want to introduce myself um ... I've been in Canton for a long time now and I'm more than a protester. I'm a concerned voice and outspoken concerned voice for

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

my neighborhood okay? And this City, as a whole I ... and the Country as a whole because I'm tired of seeing it. People like you should come up with solutions and not more problems. I'm tired of hearing, "Well we don't have money." What's your solution to that Mr. Mayor, we don't have money? Okay, well when we settled here in the ... in ... in the great state of Ohio there was a tax on squirrels okay. We were having a squirrel problem so you got a relief on your tax if you brought in so many skins. You want to say you don't have money for the sidewalks, why don't you give people relief for fixing those sidewalks. You know how important those sidewalks are? If I get caught walking in the road ... and a police comes up to me that's a \$75.00 ticket ... pedestrian in the roadway. Then I have to go to court and pay court cost and prove my innocence for a road that I've already been paying taxes on. So, either you change that Ordinance or the enforcement of that Ordinance or you fix the sidewalks. Let's talk about the roads, the roads ... you know when we did Clarendon Avenue I went down there. You say report it to the people what the problem is, I reported to those people and they asked me well what do I know about it? Well I did asphalt. You're not suppose to, on a heavy road, be only putting about an inch and a half. So, is you contractors cheating you or are you cheating us? Alright because that's what ... is on a bus route that is heavy traffic, that's unacceptable. The roads are already falling apart. Thank you ... thank you for the lovely road in my neighborhood that you're going to have to fix again in five years. The road is suppose to last ten to twenty years, I'd say ten because of the weather and what we have in Ohio, it's not that great. Alright, so ... you want more surveillance okay, you want more surveillance what is that going to do? Are you just going to stop sending your city workers to come inspect our yards for the target areas that you want to develop in? What about the people that live there when you displace them to build your Hall of Fame City that doesn't support anything for our youth, that's not for our youth. You guys drink ... you guys drink you want ... you guys are setting a great role model for the youth of this ... of this Country. As a whole, you let people behave as heathens in public spaces but then you don't allow me to practice my constitutional protected rights there. Oh, I've done it many times and you've stopped me but I keep getting stopped. Why do I have to live under the threat of the gun? I don't live by the sword, your police officers do. I don't want to live by the sword I want to be a gardener, I want to feed my people, I want to heal my nation for it says in the Bible, that the herbs are there for the healing of the nations. That's all I'm trying to do, I'm not your enemy you're not my enemy we need to come together as a whole, as a collective. You need to stop thinking that you guys are in your big circle here in business is usual, well we're a part of that business. (*inaudible*)

PRESIDENT BATES ALYWARD: Thank you Mr. Gates. Our next speaker (*applause*) Our next speaker is Mr. Roger Gates.

ROGER GATES: My name is Roger Gates I'm a lifelong resident of Canton, Ohio. I have the same address from the birth certificate to the drivers license it's 611 Smith.

PRESIDENT BATES ALYWARD: Okay.

ROGER GATES: I have lived in this community all my life I have watched many of kinds of these things go on, I have watched, but people always had a place to live. I have watched many people over the last few years be displaced but I haven't seen anything created to let people go have a place to live, to be out of the weather. Right now I live in not much more than that. I work thirty hours a week, I am being taxed on my property beyond belief. My property taxes just doubled. I do not have money to live now these people that are being displaced that are living in these poverty areas, you guys aren't providing that. They don't have the money yet alone to be able to go and find another place to live because the price is rising so fast. Now, with that poverty comes more crime. Whether it's drugs, whatever caused them to be homeless but we need to supply for them. You guys told us the Refuge of Doubt, not the Refuge of Hope because that's a failing system and it's been proven time and time again. What I want to see is that whenever these people are released out into the community and they were centered in one area at least it was easier to police and that don't make none the less

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

then better right? But once it's when you release them out into the community then people are being fatally and wrongfully accused of things within the community by the Police Department because of pressure being applied to them to clean up a community. And then people that are legitimately within their rights and within the law, they're arresting, getting into a systemic system that's failing because you got to pay court cost, fines, and everything else on nothing more than somebody calling in. Next thing you know, it's a secondary stop and there's no end to it and I'm ... I'm out in the community all the time. I'm not ... this isn't just somebody that sits, I walk okay? I look a little rough right now and that's fine but I'm gonna clean up my act here okay? I blend in with my community so that way I can see what my community actually is. So people are totally out of touch with what the community ... what's in the communities right now, right now. I think it's time that we, we okay ... I know many Members and many ... many Members on this board know my family okay? We've been here forever we don't want problems we want to see solutions. My mom said this twenty years ago and seen this, everything is coming. When we went to the town mon ... the Town Hall Meeting, all that we got was Hall of Fame, about what we're gonna do, not about what you guys are gonna do for us, the people. And then whenever we spoke out we got laughed at and ridiculed. I'm done with it. I am here, I'm not going away and I'm gonna start researching and I'm going to start looking, and I am an educated man, I am not a dumb man by far. Don't underestimate it. We the people.

PRESIDENT BATES ALYWARD: Thank you Mr. Gates. (*applause*) Our next speaker is Veronica Early, Ms. Early.

VERONICA EARLY: Veronica Early, live at 627 Rowland Avenue NE.

PRESIDENT BATES ALYWARD: Could you ... could you pick up the mic so we can hear a little better. Thank you very much.

VERONICA EARLY: Canton, Ohio 44705. I'm here again ... again to talk about the police brutality and how the Mayor seems not to care about what goes on in our community. Well you know it's nice to live in your safe space that you don't have to worry about things like the, your children don't have to worry about things like this your niece and nephews whoever, they don't have to worry about like ... things like this because they look like you. So, that must be such a nice feeling to feel like that and to live like that. But where we live, and how we look, we don't have that same luxury. You know um ... we have had twenty, thirty people killed, beaten, bitten by dogs just in the past serval years. I wish to God when you ... when my brother was murdered by the police, I wish we had social media then because a lot of cops would have been in a lot of trouble because they falsified evidence. You know they did, everybody knows they did. They actually falsified but they didn't think the response to bring in outside forces to investigate his case. We brought in forensic teams from Pittsburg, we bought in a coroner from Pennsylvania. And they ... and they showed us all the evidence against him but nothing was done. So now I'm looking at okay so now draw all those cases we had, you finally fire one officer. Kudos for you. But why was he not arrested? I'm not understanding how when police do these things they get fired and that's it. But if I were to do these same things I'm going to get fired and I'm going to jail. Why are they not charged? They say "well we can't do that because we have a special" they have a special what? Because let me know what that is because I'm going to sign up to be a cop tomorrow so I can be out here committing crimes. (*agreeance from the audience*) If that's all it takes, let me know where I get my application at. Because that's all, they're just a legalized gang. If you look up gang in the dictionary they dress in certain colors, yeah they do, they do. They have certain signs, they have certain lingo, they have ... they hang together, they are a legalized gang. And until you start putting them in jail, don't fire them, put them in jail, that's what I'm demanding that's what we all should be demanding. (*agreeance from the audience*) They need to go to jail, murder is murder. I don't care if you are a police office or Joe Smow, you committed murder. You need to go to jail and until we insist on them going to jail they're going to keep doing this because all they do is get fired and

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

then go to another police station and get hired and do ... and it's over and over again, the same thing. So, I'm just ... start sending them to jail. We don't want this just firing them, we want to see where charges have been filed. We want to see it.

PRESIDENT BATES ALYWARD: Thank you Ms. Early. (*applause*) Our next speaker is Mr. Eric Resnick, Mr. Resnick.

ERIC RESNICK: Eric Resnick, 1828 Grace Avenue Northeast. Uh ... Madam President, Leader, Members. Last time I was here, I closed my remarks with a question "Has the Chief lost control of the department?" Well I listened to the entirety of his presentation to his citizens on Thursday and I have to say that I am now more concerned that the answer is yes than I was then. The Repository did a great job of compiling a list ... of those that the Canton Police killed, abused, attacked with dogs, violated rights and used excessive force just in the last two years. These are the incidence the public knows about and it's a long list. (*applause*) Murdered by the Canton Police Frank Tyson, Jeffery Now, Zachary Fornash, James Williams. All of these men should be with us today. This is not a stellar record for our police department so I'm not going to apologize for being less than impressed by the Chief's statement to the citizens. This was the Chief's chance to show the community that he is in command, that he understands the criticism and then most importantly, what he's doing about it. But we heard nothing of the sort. We heard the Chief say how proud he is as a Christian to serve as Chief. We heard him blame the Administrative Bureaucratic structures inside and outside the city. I got the impression that he sees himself as a ... as just an observer with no power or responsibility. The Chief ... the Chief went on, all about the positive things going on in the department; things we're just not seeing. I hope y'all also find the irony in that. Our Police Chief is a leader that does not know what to do, the pony has performed it's one trick. I'm not making this personal I don't know him personally and I'm sure he brings a lot of positives to the table or he wouldn't have gotten the job but it's clear to me that this placement is not a match. So now the ball is in your court. My neighbor, Kim Bell, has brought the suggestion with the Law Director and the Law Director of (*inaudible*) now Council President form a committee of professionals to draft a statement against the expanded qualified immunity. I indorse Ms. Bell's idea because it will do a few things, first it will send a signal of cultural change in Canton to the community and to the Police Officers, something the Chief is unable to do. Second it would put pressure on City Council to pass Ordinances making certain police conduct illegal. Council has the ability to do that and the legal clarity is needed by prosecutors. The point is ... this is all out in the open now and rather than swear among yourselves it's time for action the people expect it. (*applause*)

PRESIDENT BATES ALYWARD: Thank you Mr. Resnick. (*applause*) Our next speaker is Mr. Justin Nicely but I ... is he? Yeah, there he is, Mr. Nicely you're our next speaker.

JUSTIN NICELY: I'm Justin Nicely, 2952 Lincolnway Northwest, Massillon. Um ... I've come to you guys many times before. I don't have some fancy ass speech prepared tonight um ... I'm just going to tell it to you real. You're being put on notice um ... I'm doing it in front of the cameras I'm doing it in front of everybody here alright? This letter here was written, time ... stamped this is January 25<sup>th</sup> alright ...of this year alright ... This is to you Mr. Mayor and I don't want to hear anything about who I'm addressing because I'm going to be addressing everybody today. And first thing I want to say, Sons, I want to apologize to you two, because we have failed you as a village; I'm going to say that right now. Since no one here has the guts to stand up and actually do something and say it I'll say it, you failed our children, we all have. We have failed our children. Now, if anybody didn't hear that, hear me now okay? We need a drastic overhaul. I already heard what you're planning on doing on the next Town Hall Meeting and I'm going to let you know I'm going to shut that crap down right now. We're going to disturb the narrative every time we hear something that we ain't agreeing with and you guys not addressing the issues at hand were going to shut it down, we're going to speak out, were going to interrupt, we're going to stop it. And you're not going to do a damn thing about it except listen, alright. And

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

just to shut it down (*applause*) so y'all ... just ... I love the law okay, I've already gotten in touch with the BCI, I already know that you guys are planning under ORC 2917.12, Disturbing a Lawful Meeting, not going to happen. I want y'all to please go ahead, pull out your pen and paper, I want you to write this down. I'm gonna ... I'm gonna learn you something today, it's called *Bradenton vs. Ohio 1969* to which is says "*Freedom of speech and press does not permit a State to forbid advocacy with the use of force and or a law violation except when such advocacy is directed to in sighting or producing imminent lawless action.*" Now keep those words in mind, imminent lawless action, to tell you people we don't want to hear your bull crap, your narrative isn't fitting ours. You are not addressing our issues is not a lawless act. (*applause*) It is us standing up for our rights and the First Amendment. You know what's really damn scary? You got law enforcement officers out here that don't even know what the First Amendment is, do any of you know the five rights entitled to me under the First Amendment? Any of you? Stand up and tell me right now the five freedoms entitled to me under the First Amendment. Speech, protest, right of religion, right to address grievances with my government office and I shouldn't have to worry about tyranny. I'm telling you now, it's over. I contacted the BCI and if you try to attempt to prevent people from speaking at the next Town Hall, if you guys do not address the issues and face what ... wh ... what we got a single father, we have no fathers for these children. We got a epidemic, we got a housing epidemic, we got a health care epidemic, we got a child care epidemic, we got a police brutally epidemic, we got a lack of accountably epidemic. And if you don't start addressing these issues at hand, it's not going to get quiet and I've already warned y'all, I'm going pass my three minutes but I'm going to tell you this now because you really need to hear this ...

PRESIDENT BATES ALYWARD: No you're not.

JUSTIN NICELY: This is the beginning.

PRESIDENT BATES ALYWARD: You're all done. You're done.

JUSTIN NICELY: And that's your problem right there. It's going to get more so when are y'all ...

PRESIDENT BATES ALYWARD: Well it's ...

JUSTIN NICELY: Coming to the table and going to talk?

PRESIDENT BATES ALYWARD: You're taking other peoples time. Other people have rights.

*(Audience member yelling)*

JUSTIN NICELY: Well other people are saying the same damn thing, anybody else disagree with what I said?

*(Audience members yelling "I like your point")*

JUSTIN NICELY: Thank you very much, when are y'all going to come talk to me?

*(Audience member yelling)*

JUSTICE NICELY: The community ... I'm speaking for the community.

PRESIDENT BATES ALYWARD: Our next speaker is Ms. Skylark Bruce, Ms. Bruce.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

SKYLARK BRUCE: My name is Skylark Bruce and I live at 2216 Bollinger Avenue Northeast. Officer Garrett Moreno should be fired and charged with the murder of Zachary Fornash. Officers Camden Burch and Schoenegge should be fired and charged with the murder of Frank Tyson. Former Officer Nicholas Castro should be criminally charged for attacking an unarmed, cooperating man with a police K9. (*applause*) And Officer Brandon Momirov should be schooled on what constitutes an apology, in addition to fired and charged with assault by drop kick on an unarmed, cooperating man. The BCI reports have been finalized since June for Zachery Forenash and several weeks for Frank Tyson. The next usual step in the process is for the Stark County Prosecutor to take these cases to the Grand Jury, which is done (*applause*) behind closed doors and no accountability for anyone involved. This is a problem. In 2020, community member and lawyer Richie Harper drafted several proposals that could help Canton hold police officers and the police department to account for abusive behavior. These included monitory damages from police involved lawsuits come directly from the police departments budget.

*(Audience members applauding and yelling "yes")*

SKYLARK BRUCE: While officers usually keep their jobs even after costing the city a substantial amount of money, this idea would correctly place the accountability on the police department and this proposal may cut down on excessive force incidents. Alternately, a dollar for dollar decrease in the police budget for the year following monetary payouts for police involved lawsuits. For example, if Canton PD cost the city \$200,000 in lawsuit payouts in 2024 the same \$200,000 would be deducted from their budget in 2025.

*(Audience members applauding and yelling "yes")*

SKYLARK BRUCE: It's been told to me many times that City Council controls the city's money. If City Council were actually interested in changing how the police department man handles citizens, you could start voting no on every budget item that effects the police department until they are willing to negotiate. Follow the money and make sure the police department follows the money. And we have a chance of a different future, you are not powerless, you are not helpless. You can do way more than sit here glassy eyed and yawning with over played excuses in your back pockets about statutory cities and how you can't propose legislation. The real truth is, if you wanted to stick your neck out and make a change, you would and you still can. You still can despite not doing anything substantial previously. Today is a new day! You hold the power to make life saving changes. Justice for Zach Forenash and Justice for Frank Tyson.

*(Applause)*

PRESIDENT BATES ALYWARD: Thank you Ms. ...

DANIEL GATES: Madam President, may I please say something?

PRESIDENT BATES ALYWARD: Uh no, not at... I will say something ...

DANIEL GATES: *(inaudible)*

PRESIDENT BATES ALYWARD: At the end.

DANIEL GATES: He's on his phone, he's on his phone, he's on his phone you aren't even paying attention to us.



**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

PRESIDENT BATES ALYWARD: Well.

*(Applause and shouts from audience)*

DANIEL GATES: You have rules for us but why can't you guys pay attention to us when we're asking ... we're coming to you and you guys are ...

PRESIDENT BATES ALYWARD: Sir ...

DANIEL GATES: *(inaudible)*

PRESIDENT BATES ALYWARD: If you want to address that in your next public speak you're more than welcome to.

*(Inaudible shouts from Daniel Gates and other audience members)*

PRESIDENT BATES ALYWARD: No, no that's enough.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Okay.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Alright.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Alright, that's enough. Our next speaker ...

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Our next speaker is ...

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Cassandra White.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Ms. White, it's your turn. Ms. White it's your turn.

*(Audience member yelling "Get off your tablet")*

*(Audience member yelling "Get off your phone, of your tablet, off your electronic devices.")*

PRESIDENT BATES ALYWARD: Ms. ... Alright, okay.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Alright, alright Ms. White it is your turn to speak regardless of the people that are trying to take your time. Ms. White please come speak.

DANIEL GATES: Business as usual.

PRESIDENT BATES ALYWARD: Yeah.

*(Audience member yelling "Alright y'all shut up and let everyone go on")*

PRESIDENT BATES ALYWARD: Ms. White it is your turn to speak.

*(Audience member yelling)*

PRESIDENT BATES ALYWARD: Alright so, nobody? Alright, our next speaker is Ms. Sierra Mason. Sierra, it is your turn to speak.

SIERRA MASON: Excuse me? No, no, no you see her here.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: I ... I've been calling her, she never approached, I'm sorry.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Alright, alright Ms. White.

*(Audience member yelling)*

PRESIDENT BATES ALYWARD: Well, she didn't approach I'm sorry.

SIERRA MASON: She's a family member don't ... *(inaudible)*

PRESIDENT BATES ALYWARD: I didn't ...

*(Audience member yelling)*

*(Audience member yelling "You should know who she is")*

PRESIDENT BATES ALYWARD: I ...

*(Audience member yelling "She's the mother of, Zach Fornash")*

*(Audience members yelling)*

CASSANDRA WHITE: Alright, listen guys let me talk to them. Okay? I got this.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

*(Audience member yelling "Hey, hey, hey let her speak")*

PRESIDENT BATES ALYWARD: Let her, let her, let her speak.

CASSANDRA WHITE: Alright, so I'm asking everybody. My name is Cassandra White. I live at 816 2<sup>nd</sup> Street, Massillon. I do not live in the City of Canton and do not wish to, but please, put your phones down and quit rolling your eyes. I am Zachary Fornash's mom for anyone who doesn't know who that is, since his case doesn't get the news like everyone else or the respect. He was shot and killed December 5<sup>th</sup>, 2023 by Officer Garrett Moreno, I'm coming before you tonight as a mother. I know you all see my son as a criminal with a BB gun and a citizen that did not comply, but I see Zachary as my baby boy, a father of three, a uncle, a brother, and a grandson. I also see my son was never given the chance to comply, he turned to comply and was shot in the side. Why was my family never permitted a private viewing in the Mayor's office to view body cam footage before it was released to the press? Most of the family had only seen what the press had released. Unfortunately, I have seen the uncut version that was leaked by the city to Redditt so I've seen my son choking on his own blood and seizing as he took his last breath. As a mother, that is an image that I will never get out of my head and no image that I would want any parent to see. No one has ever contacted my family from the Mayor's office or the police force. I contacted you, Mr. Mayor, and your response was "I was not the Mayor at the time and I was told you obtained Council" so because I obtained Council, which is my right, immediately when my son was shot five times for an assumption that he was carrying a gun, I am not allowed human decency. Why would I expect human decency from CPD, my son wasn't give that nine months ago. You should be ashamed to live or work in this city. I've had to quit my job over the PTSD I live with every day, that I'm going to come into contact with Officer Moreno, his family, or his friends. I'm scared to death to drive to this city, took me nine months to stand here in front of you. I watch my daughter have panic attacks, worried if she gets pulled over that they will see her last name and immediately rush to judgement like Officer Moreno did on December 5<sup>th</sup>. When he exited his car out of breath like he just ran a mile, over what? Some pissed off person making accusations. Man, I'm glad everyone don't kill people when they get told an assumption oh, that's right police officers can because of police immunity. Maybe if officers were not overworked and untrained the overworked statement which came from our Police of Chief ... Chief of Police Thursday night at the Town Hall meeting. *(light applause)* So does that mean that citizens are going to be harmed because our employees are tired? Or maybe if they came home from overseas and they had mental evaluations to make sure they don't have PTSD. Back to the Council, I'm very happy that I hired the Deshell Law Firm and looks like all of Canton and Akron victims have also. I would be embarrassed when the same attorney holds so many cases against one city for excessive force, stop blaming the victims and looking in house. We waited six months for the BCI to finish *(applause)* their investigation. Well that report has been on the prosecutors desk since June 18<sup>th</sup>, what is the hold up? Why has the case not went to Grand Jury, but Officer ... Officer Moreno has been back to work since January. If I would have shot and killed someone nine months ago, five times in the side the trial would be over and I would be sitting in prison. *(applause)*

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Thank you Ms. White. Our next speaker is Ms. Sierra Mason.

SIERRA MASON: Sierra Mason, 2110 Market Avenue. Justice for Zach Fornash, justice for Frank Tyson, justice for Darrel Ross, justice for James Williams, justice for Ja'Ron Nero, and frankly they have not passed, but justice for Casey Culver and justice for Jaemiir McElroy. All of these people are victims of our police department, all of them and it is a shame. I am so, so enraged that I have to continue to be up here. Not only do we have police brutally on ... on the list of issues tonight but we also have a gentleman over here whose advocating for disability rights. And let me talk about what happened two weeks ago at this last meeting we had

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

a women who came up here and had ... had a disability. She asked for accountability or uh ... accommodation you denied her a ... a ... that accommodation and she continued to struggle. And then a white man, a white man had to come in and advocate for her multiple times just to allow her to get her message out. So, not only are you sitting here talking about time wasted, but you wasted our time and ... and disrespected somebody in our community by not simply giving them the accommodation that they asked for respectfully at the beginning while we want to sit here and talk about wasted time. And while we're on the ... uh the ... on the topic of accountability lets talk about the fact that every single meeting, every single meeting your Safety Director, your Law Director, our Mayor, um ... Economic ... Economic endearer ... him ... he ... they ... all of these people are consistently and persistently on their phones, disrespecting our citizens and our community.

*(Audience member yelling "They don't care")*

SIERRA MASON: We have literally got pictures, I've recorded them on live you can go to my Facebook, Sierra Mason, check two weeks ago. You can see half of my live is literally on Jason Reece rolling his eyes, disrespecting our community. *(applause)* And our Mayor condones it, he's sitting right next time him! It is absolutely ridiculous. If I did that at my job, at a meeting, I'd be fired. If I did that at a job, in my meeting, I would have been spoken to. Regardless, it is absolutely absurd and disrespectful frankly. We have so many issues and I have so little time and I do apologize but J.T Hampton is a problem. J.T Hampton is a problem! There is another video that many of us haven't even seen yet but, there is another video of him absolutely brutalizing and beating on another man that we haven't even seen. There's another incident on the day the dog biting happened that hasn't even been spoken about but oh let's not ... let's not forget about all the officers that were also there that have not been held accountable. Hold yourself, your committees, your teams, your departments all accountable and stop sitting here criticizing us, we hold ourselves accountable.

PRESIDENT BATES ALYWARD: Thank you Ms. Mason.

JUSTIN NICELY: *(Inaudible)*

PRESIDENT BATES ALYWARD: Alright, our next speaker is Taylor Moncrief, Taylor ... Moncrief

JUSTINCE NICELY: *(Inaudible)* you expect any change from them?

PRESIDENT BATES ALYWARD: Alright, please ... please let her speak. Go ahead ma'am.

TAYLOR MONCRIEF: I can't get the microphone out ... I got it. My name is Taylor Moncrief and I live at 1534 Parkhill Place Northeast, Canton, Ohio. Eh ... Okay, I have a lot of anxiety. I dropped out of college for speaking public so bear with me. Um ... first I want to say justice for Zachary Fornash, justice for Frank Tyson, free Palestine and free Congo Sudan. Everything else, I don't have enough time to list everything. Um ... I do want to say as well, I know you guys are probably tired of coming to these meetings and getting screamed at. I wouldn't want to have a job that did that to me either but you took on that responsibly, that's your job. *(light applause)* It's nobody else's fault that you hired criminals in your police department so normally criminals get arrested um ... that's what should happen. With all the police department people, cops, whoever that have incited police violence. I am so sorry for everybody that is here that have been victims of police violence. I have not had that experience so I cannot relate but, I can be here and I can be here and I can be a voice and I can speak out for people because that's the right thing to do. *(applause)* You guys are in chairs, you guys got titles, you can do things. I'm just a person! Do something for the people here. They're just here asking for justice and all you guys want to do is build up your Hall of Fame that nobody here has even money for. I've lived here for twenty-four years *(applause)*, my whole life, I've never been in that damn Hall of Fame. I am never going to go

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

because football is stupid um ... football is dumb. The Art District is suffering because of the Hall of Fame. Um ... ADHD is also hard um ... um ... also I want to reiterate for the last meeting where that women who had a disability was not accommodated, that is completely unacceptable. I do not accept that from this department. Um ... and especially since a white man had to speak up for her um ... get your act together I'll try to keep on speaking. So, you'll see me more. (*applause*)

PRESIDENT BATES ALYWARD: Thank ... thank you Ms. Moncrief. Our next speaker is Audra Martin. Am I ... I think I'm reading that right. Audra Martin do we have ... yeah you're here.

AUDRA MARTIN: Good evening, Audra Martin, 3367 Stoneleigh Road, Canton, 44721, I wasn't going to speak although I signed up but after hearing from the community it was just on my heart to say a few things. I'm just simply here uh ... to exercise my civic engagement and participate civilly. We have a hurting and divided community which is heightened by those officers, who do not uphold the law and commit police brutality. As a community advocate, in my professional role I recently did have an observation and experienced um ... supporting a family who was ... had less than, who had an encounter with the police and it was very traumatizing. As a professional councilor, I left and I was traumatized. And I did share and disclose with a very close friend and even still if I am, as a professional, is still traumatized by that, I can only image that family. (*applause*) Thanks, I didn't really need that, I'm just here really to listen uh ... to learn, to be a part of the solution, not minimizing anyone else's voice um ... and ask really for more transparency and accountability and looking on both sides. Looking at ourselves, our community and our accountability as well. Um ... as someone mentioned those that who are in office, it is a tough position to be in but what I'm learning is that I was on the outside too. Talking, pointing, blaming but I'm here now trying to learn and be part of a solution. And not just screaming and yelling that doesn't get us anywhere. Sitting back there I couldn't understand anything it was chaos, a lot of pointing fingers doesn't get the solutions solved. I do see and hear the passion, people are hurting. There's got to be something different. We have to be apart to help each other and it does come with community involvement, right? But it takes both sides, not just pointing. That's all I wanted to say and God bless, thank you. And for that gentleman holding the sign, I don't know what led me here, God must have led me here, but I do work with those with verbal disabilities, intellectual disabilities ... so if you need anything sir, I'm here to help. Thank you, God bless.

PRESIDENT BATES ALYWARD: Thank you Ms. Martin. (*applause*) Our final speaker is Williemeanana Jackson, Ms. Jackson.

WILLIEMEANA JACKSON: My name is Williemeanana Jackson and I stay at 1105 Baker Street Southeast, Canton, Ohio, 44705. Okay, I like how everybody talks about Christianity and how they're God fearing Christians, but I'm going to give you a Bible verse ...

(*Interruption from audience member*)

WILLIEMEANA JACKSON: I'm a ... hold on, I'm going to give you a bible verse of what God says um ... love is action, doing good to others and giving them justice, that's Matthew 42 through 48, justice. We're frustrated, were hurting. It is so much going on that that's why you guys are getting the come down from this. We are number two in the nation for poverty, poverty equals crime, crime equals more police and we're in a vicious cycle that nobody wants to talk about. This affordable housing, Metropolitan has been duped two times, ten million dollars. The McKinley High-rise ... that was something that could have been fixed except they're abandoned. When we have these people, I ask you to Mayor, to talk your um ... we want to put somebody in Michael Heard's position. I ask you to take that back and find an African American man to replace Mr. Heard.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

Mr. Heard hasn't even been dead for thirty day and you have replaced him with a white man that does construction so I ask you to replace him with Mr. ... somebody that's African American I'm sure you can find another construction worker that can replace that. *(applause)* We say that when we say these things, that its 2024, I shouldn't still be living in these injustices. And then for those who don't understand our frustrations, it's frustrating when you go to ask help and there is none. When these piece of peep ... pieces of paper say that they do the help and there's no help then you have to go ... that causes a mental health issues. If I'm trying to do things for my children and I can't get it done and I go to the next one and then the next one and then the next one and then there's no help. We frustrated, we don't know what else to do, we tired of being sick and tired ... tired of being sick and tired. I know y'all you ... you get upset with us being ... that want uh ... that cause we're yelling. We're not yelling man, this is just people that are hurt, people have been living through this for a long time and having to deal with this stuff by themselves. So when they come down here, this is a group of people that's down here in the same shoes and the same boats that are just trying to get some ... some of this stuff done. Like I said, this has been three different times we've come down here asking for community relief ... review ... a Community Review Board. They did in 2008, they did in 2020, and here we are again in 2024 asking for a Community Review Board. The Community Review Board only meets for times a year, you just had a meeting on Wednesday so we not going to hear what that officer got in trouble for until December, that's the one that kicked the man in the chest. See how long that's taking for even getting something done? So were asking to put different people on the Community Review Board just listen to what we're asking for. Don't nobody want to come down here yelling, nobody wants to come down here complaining but I don't want to run in circles to get help either. Thank you.

PRESIDENT BATES ALYWARD: Thank you very much Ms. Jackson. And I do want to take a moment and I want to sincerely apologize for not accommodating the young lady with the disability and I actually want to thank Mr. Nicely for pointing that out to me. I did not realize it at first and I was unaware um ... I'm a little further away, I did not see that. As soon as he pointed it out, I of course did and I want to sincerely apologize I was very wrong. So, thank you Mr. Nicely.

SIERRA MASON: So, I just want to add to your ... *(inaudible)*

PRESIDENT BATES ALYWARD: And no, I'm ... I'm talking to Mr. Nicely.

SIERRA MASON: You acknowledged her in that moment ... *(inaudible)*

PRESIDENT BATES ALYWARD: You know what ... Sierra.

CLERK WOOD: Sierra ... Sierra.

PRESIDENT BATES ALYWARD: Anyways, thank you Mr. Nicely.

SIERRA MASON: That's absolutely ridiculous, that's a half ass apology. That's a half ass apology because you know you said something to her in that moment, you knew she directly asked ... *(inaudible)* and you said no.

JUSTIN NICELY: Madam Chair

*(Audience member yelling "Maybe you should be a little closer than")*

JUSTIN NICELY: Hold on.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

PRESIDENT BATES ALYWARD: I'm just saying, I'm sorry.

JUSTIN NICELY: Hold on, hold on.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: Okay, that's enough.

JUSTIN NICELY: Madam Chair?

PRESIDENT BATES ALYWARD: Yes, yes, Mr. Nicely.

JUSTIN NICELY: Considering the fact that I was the one that *(inaudible)* to come up here ...

PRESIDENT BATES ALYWARD: Yes you did.

JUSTIN NICELY: And speak for that young lady.

PRESIDENT BATES ALYWARD: Yes you did.

JUSTIN NICELY: How you guys were unaware that she had a disability when she pretty much made that pretty clear when she went up to the podium and beyond. And this is the whole problem unfortunately you guys are not addressing the issue the reason ... and the main issue is I'm Joe Some. You can't ... can't give a damn about a damn person here because we don't have a six figure income, we don't have three-piece suit, we don't have the title.

PRESIDENT BATES ALYWARD: Okay, well I ... I am sorry and that's all I can say.

*(Audience members yelling)*

PRESIDENT BATES ALYWARD: That's it, that's it. I'm done.

*(Audience members yelling)*

MEMBER BABCOCK: She should've never said anything.

PRESIDENT BATES ALYWARD: Alright, okay I shouldn't have bothered.

*(Audience members yelling)*

**INFORMAL RESOLUTIONS**

PRESIDENT BATES AYLWARD: Alright, 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: CONFIRM APPT. OF DOUG MULLALY TO THE BOARD OF BUILDING APPEALS RETROACTIVE 8/26/2024 - 12/31/26.

*(Audience members yelling)*

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

PRESIDENT BATES AYLWARD: Alright.

*(Audience members yelling "No justice, no peace")*

PRESIDENT BATES AYLWARD: Alright, Leader Babcock.

*(Audience member yelling "Put these killer cops in jail, the whole damn system is guilty as hell")*

MEMBER BABCOCK: Madam President, I move ...

PRESIDENT BATES AYLWARD: Go ... I'm sorry just let her go, just let her go. Okay, yes 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 opposed 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 has been adopted.

**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 SEPTEMBER 9, 2024.***

2. COPY OF ANNEXATION PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS FOR CANTON SERVICE CENTER - 30TH ST NE 2024 ANNEXATION. - AGENT FOR PETITIONER MATT BAILEY
3. REQ TO VACATE PORTION OF 6TH ST NW, A 60FT WIDE STREET/ALLEY (LOTS 43540, EXPANSION OF CANTON PALACE THEATER). - APPLICANT GEORGIA PAXOS  
**PUB HRG WAIVED**
4. REQ FOR ADDT'L AMENDED CERTIFICATE DATED 9/3/24. - AUDITOR MALLONN
5. STATEMENT OF CASH POSITION DATED 8/30/24. - AUDITOR MALLONN
6. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR JULY, 2024. - CHIEF BENNETT



**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

7. REQ NAME CHANGE OF CENTRAL ALARM DISPATCH SUPERVISOR TO ASST. DIR. OF CENTRAL COMMUNICATIONS; EMERGENCY. - SAFETY DIRECTOR PERRY
8. REQ FOR SANITATION DEPT VEHICLE PURCHASES; EMERGENCY. - SAFETY DIRECTOR PERRY
9. REQ TO HIRE BBS MULTI-CERTIFIED INSPECTOR FOR THE BUILDING DEPT.; EMERGENCY. - SAFETY DIRECTOR PERRY
10. REQ SUBSTANTIAL AMENDMENT TO THE 2023 AND 2024 ANNUAL ACTION PLAN; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
11. REQ OHIO DEPT. OF TRANSPORTATION (ODOT) - PID 110713 - US30 RESURFACING CY 2025 - GP 1458; EMERGENCY. - SERVICE DIRECTOR HIGHMAN

**ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT BATES AYLWARD: We are now under Ordinances, and Formal Resolutions for their first reading. Madam Clerk, would you please begin with Ordinance #12.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #12 THROUGH #19 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#12. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 23461, 23462, 23463, 23489, 23490, 23491 AND 23492; AND THE VACATION OF PART OF A 12.5' ALLEY MUNLEY PL. NE; AND DECLARING THE SAME TO BE AN EMERGENCY. (SHARON MCGRATH, ROOSEVELT AVE FR 23RD ST. NE TO 24TH ST. NE)  
Referred to Public Safety & Thoroughfares Committee
- O#13. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 187 ADMISSIONS TAX OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON TO BE EFFECTIVE ON JANUARY 1, 2025; ESTABLISHING THE ADMISSIONS/PARKING TAX FUND; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Judiciary Committee
- O#14. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 1339, 1340, 1341, AND 1342; AND DECLARING THE SAME TO BE AN EMERGENCY. (STARK COUNTY LIBRARY, 811 CLEVELAND AVE. NW)  
Referred to Public Safety & Thoroughfares Committee
- O#15. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT \$7,500 IN GRANT FUNDS FROM THE USPCA AKC REUNITE K9 GRANT AND TO ENTER INTO CONTRACT FOR THE PURCHASE OF ONE AGED POLICE K9; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN ( \$7,500.00 SUPP APPROP FR

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER).

Referred to Finance Committee

- O#16. (1<sup>ST</sup> 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
- Referred to Finance Committee

- O#17. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 919, SIDEWALK AND CURB REPLACEMENT PROGRAM OF THE CANTON CODIFIED ORDINANCES
- Referred to Judiciary Committee

- O#18. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 173/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 27858 AND 27859; AND DECLARING THE SAME TO BE AN EMERGENCY. (JOHN R. ROZKO, 421 23RD ST NW)
- Referred to Public Safety & Thoroughfares Committee

- O#19. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 174/2024** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR THE SAFETY DIRECTOR'S COMMUNICATIONS CENTER NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- Referred to Personnel Committee

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you Madam Clerk. At this time the Chair would declare an in-recess for Ordinance #18 and #19 to be considered by Public Safety & Thoroughfares and Personnel Committees to meet in regard these Ordinances. You are now in recess.

***(COUNCIL RECESSED AT 7:54 PM FOR THE PUBLIC SAFETY & THOROUGHFARES AND PERSONNEL COMMITTEES TO DISCUSS O#18 and O#19; RECONVENED AT 7:58 PM)***

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

MEMBER BABCOCK: Madam President, I move we suspend Rule 22A to place Ordinances #18 and #19 back on this evening's agenda.

MEMBER GIAVASIS: Second.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

PRESIDENT BATES AYLWARD: It's been moved and seconded excuse me ... to suspend Rule 22A to replace numbers ... Ordinances #18 and #19 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. The motion carries and Ordinances #18 and #19 are now a legal part of your agenda. Leader Babcock.

MEMBER BABCOCK: Madam President, I move we suspend Statutory Rules on Ordinances #18 and #19.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to suspend the Statutory Rules on Ordinances #18 and #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.

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

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#18 ADOPTED AS ORDINANCE NO. 173/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #18 has been adopted. Leader.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

CLERK WOOD: Ten years, Madam President.

**#19 ADOPTED AS ORDINANCE NO. 174/2024**

PRESIDENT BATES AYLWARD: The motion carries and Ordinance #19 has been adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT BATES AYLWARD: Um ... we're returning to the record and it was pointed out um ... just to correct the record that Council Woman, Chris Smith has been present so um ... Second Reading Ordinances. We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #20.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #20 AND #21 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#20. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO: TRANSITION FROM CITYFORCE TO IWORQ AS SOON AS POSSIBLE; ENTER INTO A NEW CONTRACT WITH IWORQ FOR RENEWABLE THREE-YEAR SOFTWARE CONTRACT SUBSCRIPTION FEE IN AN AMOUNT NOT TO EXCEED \$48,080 FOR THE FIRST YEAR WITH A PRO-RATED MONETARY ATTACHEMENT OF THE TIME USED IN 2024 FOR THE NEW SOFTWARE; AUTHORIZE THE BUILDING DEPARTMENT TO PAY THE 3-YEAR TERM UPFRONT TO SECURE DISCOUNTED ANNUAL PRICING AND TO HAVE THIS CONTRACT BE AUTOMATICALLY RENEWABLE UNLESS TERMINATED BY EITHER PARTY AND BE RENEWABLE AT AN INCREASE OF NO MORE THAN 5% PER YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY.

O#21. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTION OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 30<sup>TH</sup> ST. NE WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE AUDITOR TO PAY MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLD; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$700,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 207093 30<sup>TH</sup> STREET NE WATER MAIN REPLACEMENT PROJECT - OTHER)

CLERK WOOD: Madam President.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT BATES AYLWARD: Thank you. We are now under Ordinances and Formal Resolutions for their Third Final Reading and Vote. Madam Clerk, will you please began with Ordinance #22.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ THE FOLLOWING ORDINANCES #22 THRU #27 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 175/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: PURCHASE RESIDENTIAL PROPERTIES THAT ARE AUCTIONED OR SOLD PRIVATELY IN ORDER TO DEMOLISH ANY STRUCTURES PRESENT, TO ENTER INTO ALL CONTRACTS NECESSARY TO ACQUIRE THE PROPERTIES OR DEMOLISH THE STRUCTURES LOCATED AT THE PROPERTIES AND ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE THE FOREGOING; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR THE PURCHASE OF PROPERTIES MADE PURSUANT TO THIS ORDINANCE; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY. (\$150,000.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN IMP. FUND TO 2175 200501 GENERAL GOVERNMENT - OTHER)

PRESIDENT BATES AYLWARD: Thank you. Leader Babcock.

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

MEMBER GIAVASIS: 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 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#22 ADOPTED AS ORDINANCE NO. 175/2024**

PRESIDENT BATES AYLWARD: Thank you. Ordinance #22 is adopted. Ordinance #23, please.

O#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 176/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH NUTTER CONSULTING, LLC IN AN AMOUNT NOT TO EXCEED \$132,530 FOR THE DEVELOPMENT OF A CLIMATE ACTION AND SUSTAINABILITY PLAN; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY. (\$132,530.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN IMP. FUND TO 2175 200501 GENERAL GOVERNMENT - OTHER)

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

PRESIDENT BATES AYLWARD: Leader Babcock.

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

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you 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. 176/2024**

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

O#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 177/2024** AN ORDINANCE AMENDING CHAPTER 105, CONTRACTS OF PART ONE ADMINISTRATIVE CODE

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 to 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. 177/2024**

PRESIDENT BATES AYLWARD: The motion carries and Ordinance #24 is adopted. Ordinance #25, please.

O#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 178/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$80,000 IN FUNDS FROM THE OFFICE OF CRIMINAL JUSTICE SERVICES, STATE OF OHIO VIOLENT CRIME REDUCTION GRANT AND TO ENTER INTO CONTRACT FOR THE PURCHASE OF TWO ADDITIONAL SURVEILLANCE TRAILERS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY. (\$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

GENERAL OPERATING FUND TO 1001 102006 OHIO VIOLENT CRIME  
REDUCTION GRANT - OTHER)

PRESIDENT BATES AYLWARD: Thank you, Leader Babcock.

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

MEMBER GIAVASIS: 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 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#25 ADOPTED AS ORDINANCE NO. 178/2024**

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

O#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 179/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE, INC. AND TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE 1-77 SANITARY SEWER REHAB, GP 1455 PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE THE PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY (\$49,860.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202061 I-77 SANITARY SEWER REHAB GP 1455 - OTHER)

PRESIDENT BATES AYLWARD: Thank you, Leader Babcock.

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

MEMBER GIAVASIS: 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 10 YEAS, 0 NAYS

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

CLERK WOOD: Ten yeas, Madam President.

**#26 ADOPTED AS ORDINANCE NO. 179/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #26 is adopted. Ordinance #27, please.

O#27. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 180/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT FOR THE NORTHEAST WATER TREATMENT PLANT DRIVEWAY REALIGNMENT PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (SUPP APPROP TO NE WTP DRIVEWAY REALIGNMENT PROJECT – OTHER; APPROP TRF TO NE WTP DRIVEWAY REALIGNMENT – OTHER)

PRESIDENT BATES AYLWARD: Leader Babcock.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #27.

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: Are there ... It's been moved and seconded to adopt Ordinance #27. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#27 ADOPTED AS ORDINANCE NO. 180/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #27 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT BATES AYLWARD: We are under the Announcement of Committee Meetings. Our next meeting date is September 16, 2024. Committee Meetings will begin at 6:45 PM. Public Safety & Thoroughfares.

MEMBER BABCOCK: Public Safety & Thoroughfares will meet the 16<sup>th</sup> of September at 6:45.

PRESIDENT BATES ALYWARD: And Judiciary.

MEMBER BABCOCK: And Judiciary will meet same time, same place.

PRESIDENT BATES ALYWARD: Alright, and Finance.



**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

MEMBER GIAVASIS: Finance will meet same time, same place.

PRESIDENT BATES AYLWARD: Alright, thank you gentlemen.

**MISCELLANEOUS BUSINESS**

PRESIDENT BATES AYLWARD: We are now under Miscellaneous Business. Is there any Miscellaneous Business that the Members would like to share?

SAFETY DIRECTOR PERRY: Madam President.

PRESIDENT BATES AYLWARD: Yes, Safety Director.

SAFETY DIRECTOR PERRY: I just like to go on the record to say, I heard the comment relative to um ... being on the phone um ... as you Council Members um ... my job doesn't start because I'm at ... stop because I'm at Council. There are many times where I walk in here and many of you ask me things to get done, I get it done while I'm sitting here. So, it not a case of me trying to be disrespectful, my job doesn't stop, thank you.

PRESIDENT BATES AYLWARD: Thank you, Madam Safety Director. Does anybody else have any Miscellaneous Business to bring up front.

MEMBER MORRIS: Madam President.

PRESIDENT BATES AYLWARD: Oh, yes Member Morris

MEMBER MORRIS: Uh ... just for the record I would like it on record that for those in the audience who thought I was on my phone, I actually keep notes. I can tell you that Ms. Kim Bell was the first speaker at last week's meeting, just like she was. And I can tell you exactly what order every person who spoke uh ... their names and what wards they come from. However, we do have a Council rule and I am guilty of it just as other that no electronic devices are to be used in the Horseshoe. So, I will be reaching out to our Rules Chairwoman, Member Smith and we need to take and revisit that um ... because I know with technology the way it is sometimes Leader Mariol, the Mayor they're looking, they're tracking the Agenda on their iPad. Uh ... however I do think that we can give up 15 to 20 minutes to put everything aside during Public Speaks and give these folks are undivided attention. Um ... we have to ... we have to be empathic and it can be viewed as rude and I never really thought about it and as I admit, guilty as charged I've done it myself. Um ... but we really need to change our rules or enforce but this is their three minutes and trust me, I didn't like half of what was coming out of their mouth and I don't like being yelled at. But, yet again, right is right and wrong is wrong, and we have to be the example. Thank you.

PRESIDENT BATES AYLWARD: Thank you Member Morris. Anyone else like to bring Miscellaneous Business before the body?

MEMBER SACCO: Yes, Madam President.

PRESIDENT BATES AYLWARD: Yes, Member Sacco.

MEMBER SACCO: Um ... Wednesday is the 9/11.

PRESIDENT BATES AYLWARD: Yes.

**MINUTES OF THE MEETING SEPTEMBER 9, 2024**

MEMBER SACCO: And if you go to it at the McKinley Monument, starting at eight o'clock, they're doing the stair climb. If anyone wants to come out, do the stairs with the firefighters uh ... appreciate ... appreciate anyone to come out to do it for support. Thank you.

PRESIDENT BATES ALYWARD: It's ... It's a beautiful event. Thank you, does anyone else have anything? Alright then, Leader Babcock.

MEMBER BABCOCK: Madam President, I move we adjourn.

MEMBER GIAVASIS: Second.

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

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: 8:11 PM

ATTEST:

APPROVED:

JILL M. WOOD  
CLERK OF COUNCIL

KRISTEN BATES ALYWARD  
PRESIDENT