

**MINUTES OF THE MEETING SEPTEMBER 16, 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... uh roll call please, Madam Clerk.

*ROLL CALL TAKEN BY CLERK WOOD:*

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

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

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

**EXCUSING MEMBERS**

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

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

MEMBER MARIOL: Second.

PRESIDENT BATES AYLWARD: 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 Scaglione and Member Morris are excused from this evenings meeting. Before I call for the invocation, uh... I would like to call for a moment of silence... our... our former Mayor, Mayor Healy lost his son in a motorcycle accident. And I would like uh... a moment of silence to acknowledge the Healy family. (*Moment of Silence*). Thank you. Tonight's invocation will be given by Ward 2 Council Member, Brenda Kimbrough. 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 16, 2024 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 2 Council Member, Brenda Kimbrough. The Pledge of Allegiance was led by President Bates Aylward.*

**AGENDA CORRECTIONS AND CHANGES**

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

MEMBER MARIOL: Madam President I move to suspend Rule 22A to add second reading Ordinances #19 through O#24 to this evening's agenda.

MEMBER BABCOCK: Second.

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PRESIDENT BATES AYLWARD: Are there... thank you. It's been moved and seconded. 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 #19 through #24 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 I have been asked to... uh just provide some information... uh... that we have tracked down. Uh... and I want to thank... uh... Member Chris Smith your (*inaudible*) uh... for tracking down some information. Uh... many people have asked uh... both here, but also by email and phone calls about the criminal aspects of the four cases that most of you have been coming here to talk about. So, two of them as you know are at the Grand Jury level and they are with Prosecutor Kyle Stone. Uh... Member Smith actually contacted Prosecutor Stone, and asked if he would come to Canton City Council to give an update on the two matters, which are the Fornash and the Tyson matters. Uh... BCI has concluded their investigation. We are not privy to that, but they have concluded the investigation and they rest with Mr. Stone's office. They've had the Fornash case for I think... I think it's about thirteen weeks and they've had the Tyson case for I think three, but he can... clarify more of that. And he did agree... uh today when we spoke... uh with... uh Member Smith that he would come. So, we wanted to relay that. I also wanted to relay something just real briefly too, because again I'm getting emails and questions about certain things. A lot of people say well, "Why does it have to go to the Grand Jury?" All felonies, all of them in the state of Ohio have to go through Grand Jury. Whether your charged preliminarily or you're not... whether it's me or you or anyone. No one can stand trial for a felony unless they are indicted by the Grand Jury. That's a state law and that is... for everyone. So, that's why... those two serious, more of the serious cases are pending with Mr. Stone's office. The other matters... don't... they are serious, but they don't rise to the physical harm that was done to the first two, they will be reviewed also... uh for whether or not criminal charges will be filed or will be warranted on that. And we'll get you apprised of that when we know. We are not in control of that either. And that will be an outside agency. Other thing I wanted to talk really quick about is, qualified immunity. I know that it's a concern for a lot people, but I want to talk a little bit about what it is and what it isn't. Just so there's not a confusion. Qualified immunity was founded by the United States Supreme Court back in the eighties in a case. It does not apply to criminal cases. It doesn't not prevent them from being charged with a crime. It has nothing to do with that. So, that is the first thing... that... that is for civil matters, civil cases only. And it does affect those. So, what it is, is if someone who's a public employer official, not just police officers. Again it can mean, it could mean... it could be a school board member. If they get sued and it's alleged they violated someone's constitutional rights, they're allowed to assert a defense. The defense is called qualified immunity. And they would have to prove to the judge, it's not just an "oh I get it", they have to prove to the judge that they did not knowing violate that persons clearly established constitutional rights. So, the only reason I bring that up is I had a lot of emails asking if qualified immunity is impacting the review of the criminal charges. It is not and it would not come into play until and unless civil suits are filed. And then it would come into play in those aspects. As to the employment... uh as you know uh... the City is a statutory City, we've talked about that. We are ruled by statute. We are not a charter and our employees, almost all of them, are protected both under State

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Civil Service Law and State Collecting Bargaining Law and of course along with their contracts. Those are not anything that, again Council has any say over. And those all have to be... all the processes have to be followed in order to move forward with that. And... as you know one officer has been terminated and he is appealing that as it's his right under these laws... uh to arbitration so that's proceeding. And the others are going through these processes as well. Uh... and we do need that BCI... you know information for some of it uh... but the other information seems to all be here and it's proceeding along uh... in the Police Department. And obviously in the Director's purview, again per state law. So, that's where we are. I was also asked to advise by some of the Council Members to explain that because our Safety Director acts as the judge in these hearings. It is very important that she be impartial and that we, as Council people, do not try to affect her one way or the other. And that's why we are not making a lot of public... comment; because if we were found to impermissibly have influenced her in the appeals of these various things, this could be brought up. So, uh... it is... it is best for the process to work out in that way and in an impartial way. So anyway, those were just some things. I imagine you'll be interested to see Prosecutor Stone next week. I intend to let him speak right at the beginning uh... so that everyone will be here to hear him. And I think that... am I missing anything Member Smith, as far as Mr. Stone? He's going to be here and he'll speak. Okay so, that's just some old business.

**PUBLIC SPEAKS**

PRESIDENT BATES AYLWARD: We are now under Public Speaks and we have 9 speakers this evening. Uh... most of you know... uh the rules. You have 3 minutes. Please state your name and residential address uh... when I call you to the podium. And our first speaker is Mr. Erich Resnick... Mr. Resnick.

ERIC RESNICK: Eric Resnick. 1828 Grace Ave NE. Madam President, Leader, Members... I'm running things... I'm running out of things to tell you... here so I thought. Then came Saturday's Repository with this article about a group called Roots is coming to Temple Israel on... September 23<sup>rd</sup>. And low and behold in paragraph 16 it says that Rabbi David Komerofsky addresses Canton City Council, following local activists unsuccessful demands. The Council issued a Ceasefire Resolution in response to Israel's actions in Gaza. So, Komerofsky addressed City Council? I found that to be news... cause I've been here every meeting since that vote, and I would've remembered that. And I've asked other people who have been here every meeting since that vote and none of them remember it either. So... is the report wrong? Did Komerofsky misspeak? Did he speak to another group and think it was Canton City's... City Council? Potentially, this implicates Ohio Open Meeting Law and so it merits investigation. And let me just say a few things about what the Rabbi said so in case he addressed Canton City Council, I can clear up some confusion. Komerofsky said "I am not an Israeli, but I'm called upon to speak on behalf of the Jewish people." Well, for the record Komerofsky is Zionist. Who leads a Zionist congregation. In fact, he's arguably the most committed Zionist Rabbi this community has ever had. Which we know from his time at Hillel. Hillel is no longer a place where Jewish college students go for Shabbat dinner and define Jews sex partners. Hillel conditions and participation includes a loyalty test to the state of Israel. Their primary functions on campuses is now to spy on and report on the activity on pro-Palestine groups like Students for Justice in Palestine and to use their clout on those campuses to make sure SJP is blocked from privileges or voice. And they were doing this long before October 7<sup>th</sup>. Komerofsky spent a great deal of his career as a part of that system. And when he says... in the article that "Arab oil money is subsidizing pro-Palestine protesters," he's in character. He's lying. None of the pro-Palestinian activists who's spoke to you have ever gotten a check. Zionists lie... lie about a lot of things. And you should know that if any of you are going... you should know that if they are going to address you. Further, Komerofsky does not speak for me, nor many other Jews in this community who are not Zionist, who oppose and fight the Zionist effort. Uh... and their (*buzzer*) to manufacture consent for genocide (*buzzer*) you should know that too.

PRESIDENT BATES AYLWARD: Thank you Mr. Resnick. Our next speaker is Hasan Muheisen.

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HASAN MUHEISEN: My name uh.., Hasan Muheisen. My address 615 Rodeo St. Louisville, Ohio 44641. First I'd like to... give my deep uh...emp... condolences for Mr. uh... William... uh Healy because uh... Austin was really a good uh... and smart kid. He was a good and... and... he was supporting my business also... when he was young and I know him very well. Ladies and Gentlemen, I know death is everywhere for the last eleven months of suffering in Gaza. Eleven months of destruction of the hospitals. Eleven months of destruction of the schools, roads. Fifty-thousand got killed, most of them children and women who are not part of the conflict. Ladies and gentleman, I want to tell you no place is safe for the Palestinians. Anywhere in their occupied Palestine, whether occupied 1948 or the West Bank that occupied 1967. Or anywhere, even the refugee camps and living their they are not safe. Refugee camps in Jordan, in Gaza, anywhere as a Palestinians they are not safe. Also now the settlements. You need to know that more than sixty-thousand US Citizen who are living in the West Bank... then the West Bank the Palestinians territories which is illegal settlers. And these settlers are committing war crimes against the... our people, against the Palestinians. They burn houses, cars, and even burn the whole families. They burnt families in Naples, Torcadem, and Jerusalem. They burnt them alive. I want to say these settlers are armed Jewish settlers. (*Buzzer*)

PRESIDENT BATES AYLWARD: I'm sorry sir, your time is up. Thank you though. Our next speaker is Ms. Veronica Early.

VERONICA EARLY: It is Veronica Early. 1627 Rowland Ave NE, Canton, Ohio 44705. Coming here again about the police brutality. And I'm so happy to hear that you guys... are... that Kyle is going to come here to speak to us. And it looks like you guys are kind of doing some things now. Slowly but surely. But hey, we've been coming for the past, I don't know how many years. And we are finally getting a little action. Now, I think we need to put... well first of all, we are here also to ask where we... don't want to stop with that. We need to end qualify... qualified immunity. We want George Floyd's Justice and Policing Act to be passed, release all names of Police Officers involved in all incidents, place officers on unpaid leave, no longer vacations, and the Mayor and Chief... of Police they should hold press conferences. They can let us know what's going on in some of these incidents. They can tell us exactly what's what... they can tell us something. Acknowledge that you know we are hurting out here and we are tired and we are sick of your actions. And last but not least, Kyle Stone... he needs to know... he is go... we are watching you. We are watching to see what you do with this. And it's election year, perfect time... perfect time. And everybody, remember he's up for election... he's up... he's up again. And if he don't do what he's supposed to do with this case... get his behind out. He needs to be fired. And you ma'am, too... go to do your job... do your job. We're watching... everybody's watching and we're paying attention. And if we don't get no action behind this... people will be out of jobs.

PRESIDENT BATES AYLWARD: Thank you, Ms. Early. Our next speaker is Mr. David Kerestes. Mr. Kerestes, yea there you are.

DAVID KERESTES: David Kerestes, 626 Walnut Ave NW. Here tonight because I got a gift card from McDonald's. What does this gift card mean to me? It means I got to ride that down to uh... passed uh... Canton Parks to the other McDonald's, because I'm not allowed in the one downtown. And so why would that be? In that McDonald's I was robbed \$270.00. And the officer came and he told me, "Why did you lay your wallet on the counter?" I asked him, "What gives them the right to steal my money if I lay my wallet on the counter?" He told me stand in the parking lot, he'd be back. The he came back outside and he said to me that the camera was blurry. So how did he know that I laid my wallet on the counter. I have had it with the rhetoric... from you people. It's quite intuitive what this woman spoke of with the small crimes... because what happened at that time was nobody in the prosecutor's office will give me the video. I asked for the video under the Freedom of Information Act request which requires federal governments to give me information, since 1967, but I can't get it from IA, the Canton Police Department, nor the Prosecutor. All I want is the video who stole my wallet. I

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don't like being kicked out of McDonald's because I called cooperate and told them they had Vietnam Veterans in there harassing people selling drugs. That's what you're trying to cover up. So how hard is it to give me a video of me in a McDonald's being robbed by cash register. And why would it have a poor video by the cash register. Think you're full of malarkey. And I took a video of Tiffany Roberson, down there getting beat by uh... the mother of a drug dealer. I'll reframe from the names at this time. And in rolls your officer, I want that report cause he wrote her up for a crime she didn't commit. Until I had a video and showed it to somebody here in the court. The charges were dropped. I'm asking for the report and the cop that lied, okay. I want the report of the cop that lied when I got robbed, and I'm quite disgusted with the prosecuting office who quite frankly tried to intimidate me from coming there and wanting things under my rights. All crimes are punishable and should be thank you.

PRESIDENT BATES AYLWARD: Thank you...

DAVID KERESTES: ...you're doing a good job Mayor.

PRESIDENT BATES AYLWARD: Than you, Mr. Kerestes. Our next speaker is Ms. Skylar Bruce.

SKYLARK BRUCE: My name is Skylark Bruce and I live at 2216 Bollinger Ave NE. The Lord's Prayer again? We have been through this. It's unwelcoming to everyone who's not part of the Christian Tradition and possibly unconstitutional. Many times we've heard; "You go to Kyle Stone, go to the prosecutor's office,"... for the deaths of Zachary Fornash and Frank Tyson. You're in the hands of the Grand Jury. Many emails, many phone calls to the Prosecutor's office from me and others all gone unanswered. So, when I hop on an opportunity, to hand Kyle Stone a brief note in public, I took it. You've would've thought I pissed in his cheerios. Rewind the Friday evening, I go out for ice cream to my favorite downtown ice cream spot, Two Scoops. The store manager has previously offered to hire me multiple times so I would say we cool. I pull up and there are a bunch of people on the sidewalk with matching shirts. I open up the shop's Facebook page to find out if they are open, or if they're having a private event. Okay, so they're open to the public and it's also a fundraiser for the reelection of Kyle Stone to Stark County Prosecutor. I quickly write a note to hand Kyle Stone, requesting murder charges on Officers Moreno, Shangee, and Burch for the (*inaudible*) deaths, please and thank you. My intent was to hand the note to Stone, get my ice cream and go. Ha! I do hand the note to Stone, and I turn to the store manager and ask about their flavors. Stone interrupted that conversation to ask, "Do you know how the justice system works?" I said, "yes." He said "So you know the Grand Jury decides?" I said "I know the Grand Jury decides guilty or not guilty, but you decide what charges to bring to them. That's why I requested murder charges not a verdict." Stone's manner then completely changed. He dropped the note over the ice cream case at my feet and raised his voice. "How dare you be so rude and disrespectful to this store? This is their event, not mine!" The manger and I looked at him... very confused. He added, "This isn't the place to get political. You better go." I picked up the note and said calmly, "This is yours." "I don't want it!" he fired back. And so I did go. Within a few moments out the door, the manager of Two Scoops caught up to me knowing she had missed something, but it was unusual for any customer to leave without buying anything. I explained I had not expected that reaction from Stone, but it had nothing to do with her or the store; but the public may ask why was Stone so up in his feelings about a note that he could have just ignored. Why was he so unprofessional? And why would he try to gaslight me and the store manager about what had happened? Why did he get the idea somehow that his political campaign fundraiser was somehow a political. Justice for Frank Tyson and Zachary Fornash.

PRESIDENT BATES AYLWARD: Thank you, Ms. Bruce. Our next speaker is Ahmed Cheema. Mr. Cheema? Oh there you are.

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AHMED CHEEMA: Ahmed Cheema. 5155 Foxchase Ave. NW, Canton. Respect to Council and all those in attendance, As-salamu alaykum, peace be with you. I'll start my address to Council where I left off last time because I had to speak twice my usual pace which I will be doing as well. Leader Mariol claimed the Gaza conflict was a foreign policy issue. He did not want to weigh in on. Now this is what he says in public comments, but behind closed doors he has been leading the charge with self-proclaim Zionist who are spreading lies saturated with anti-Palestine sentiment and glaring disregard of actual accuracy. Leader Mariol made every effort possible to ensure members on this Council voted no on the Gaza Ceasefire Resolution. The communications between Majority Leader Mariol, Rabbi Komerofsy, and Bill Smuckler among others were not conducted in accordance with Ohio Public Records and Open Meeting Laws. The statements dictated to Leader Mariol were then shared to other Council members and played a significant role in the Councils decision making process. People like Komerofsy who truly believe there was never an independent state of Palestine in the Canton Repository article published two days ago. He said and I quote "It's been one empire after another. My mother-in-law was born in 1944 in Telavi. Her birth certificate says she's Palestinian. That's because she was born in the subject of the British Empire Mandate over Palestine." In another statement the Rabbi says, "If Israel is committing a genocide it is doing a horrible job because there are many more Palestinians alive today then there were in 1948." Wow. Hamas or Haamas as he would call them embeds itself in civilian populations and you know how else embeds themselves in civilian populations at the West Bank and continue to expand settlements that have been ruled as illegal by the United Nations International Court of Justice... Israel. Lastly the recent sudden sale of dozen rental properties or dozens of rental properties in Canton... uh by Mr. Stephen D. Filliez to Premier Homes has created significant uncertainty and hardship from numerous tenants. I've found some horror stories from residents that confirm Mr. Filliez is a certified slumlord. Uh... many of these have established very agreements with Mr. Filliez with flexible biweekly or end of the month pay schedule. I urge the City Council to conduct a thorough investigation into this matter. Focusing on the rights of existing tenants and practicing... making sure of practices of both Filliez and Premier Homes. Additionally, I call upon the City to explore options for providing assistance. Uh... advocating, temporary plans, etc. You're busy building water parks and Hall of Fame Villages, this is where Canton (*buzzer*) and its residents. (*Applause*)

PRESIDENT BATES AYLWARD: Thank you, Mr. Cheema. Our next speaker is Ms. Cecily Ruffin. Ms. Ruffin?

CECILY RUFFIN: Hi, I have a small business in the Canton area and I was just interested in funding resources to help renovate... uh one of the buildings that I own. So, I was just looking to see how I can gather information. Oh Cecily Ruffin 1240... Cecily Ruffin 1240 Marguard Ave Canton 44720.

PRESIDENT BATES AYLWARD: Thank you and he will see you. He is our Director of Economic Development. Our next speaker is Ms. Cassandra White?

CASSANDRA WHITE: Uh... Cassandra White 816 2<sup>nd</sup> St SE Massillon. Uh... I am Zachary Fornash's mom and I am Zachary's voice. Forty-one weeks, two hundred and eighty-seven days, six thousand eight hundred and eighty-eight hours, four hundred and thirteen thousand two hundred and eighty minutes, twenty four million seven hundred and ninety-six thousand eight hundred seconds I received a dreaded phone call no mother should ever get. The amount of time that my family has had to celebrate many holidays and birthdays. The days that my grandchild (*inaudible*) look for their daddy to walk in the door. What has the City did since that dreaded day for our family? Nothing. You never released the body cam footage properly, you've not responded to my attorney's demands of needed to discuss the case. Ninety-one days ago the BCI turned over their investigation to the prosecutor. In those ninety-one days, no one has contacted our family and no movement on my son's case. Not like I said last week, if I had shot someone in the side I would be sitting in prison. I raise my children to respect the law and authority, but now I worry that my family have to live in fear of the so called people that

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are suppose serve and protect us; but the fact... but that fact of the matter is isn't just my family it's multiple families that have been affect by this City's actions. I watched the videos of last week of this meeting y'all played on your phones, rolled your eyes at us, so... I struggled.... Struggled to come back this week, but I decided as long as I making you miserable, uncomfortable, and annoyed that we are all in the same mindset of feelings. And I will. Apparently we must of made you uncomfortable and thank you Chris Smith for taking the time to reach out to Kyle Stone. Uh... this is ridiculous nothing will ever bring back my son and I understand that with every beat in my body, but if I can stop another mother from going through this by change in your police force or change in your city I'm here to do it and I will not stop and will not shut up. Justice or Frank Tyson and Justice for Zachary Fornash. *(Applause)*

PRESIDENT BATES AYLWARD: Thank you Ms. White. Our final speaker is Ms. Sierra Mason. Ms. Mason.

SIERRA MASON: Sierra Mason 2110 Market Ave N. First my condolences to the Healy family. However, I am wondering why all of the families who are murdered by the Canton City Police Department didn't get the same respect. I understand he was a former Mayor, but these are current citizens. These are families who live in our communities. These are families who are affected by... your systems and your police departments. Yet, we can't even take a moment of silence to honor and respect them. They can't get a single letter... from the majority of the representative to their Wards. Kudos to those who have because I know there are a few who have and you know who you are; but it breaks my heart that we've had the time to honor one family, but not the next. Because Zachary Fornash deserved that. Frank Tyson deserved that. Darryl Ross deserved and frankly they deserve it every year on the day that our City took their family members from them... every year. Your apology last week was pathetic. If you're going to apologize, please don't lie to us blantly to our faces. While you're doing. It was just silly. You told that young lady no to her face and then tried to apologize and say that you didn't know she needed an accommodation, when it was clear to everybody in this room. Dis... disability discrimination I don't if for some reason tolerated on that side of... this barrier, but it's not tolerated in this community. And we will stand up for it. I will say I really do appreciate your response, but I also want to say your Old Business sounded more like excuses. You may not have full control but each and every one of you does have an influence. And Chris Smith is a prime example of that, thank you... for constantly showing up for our community and doing that for decades. You've truly been not only an influence in your communities but, frankly I do look up to you and really hold of respect for you.

CHRIS SMITH: Thank you.

SIERRA MASON: Absolutely, but I do want to ask each and every one of you. What are we doing for our communities that are suffering. What are we doing for families who don't know what to do anymore. What steps are you taking make our City a better place because our City has had trauma, after trauma, after trauma and at this point we need to heal. So, what are you doing to help us with that? *(Applause)*

PRESIDENT BATES AYLWARD: Thank you, Ms. Mason. And again thank you to our speakers.

**INFORMAL RESOLUTIONS**

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

1. MAJORITY LEADER MARIOL: AUTH PURCH OF PLAY EQUIPMENT AT STARK WAYNE SHRADER PARK. - ADOPTED

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

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MEMBER BABCOCK: 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. All 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 16, 2024.***

2. AMEND O#61/2024; EMERGENCY (VARIOUS SUPP APPROPS, SUPP APPROP TRNSFR AND INTER-FUND TRNSFR). - FINANCE DIRECTOR CROUSE
3. REQ REPLAT OF LOT 43540 AND VACATION PART OF 6TH ST NW, PARCEL 10018246, WARD 2 (CANTON PALACE THEATER @ 605 MARKET AVE N.). - PLANNING COMMISSION
4. REQ REPLAT OF LOTS 17525, 17526, 17530, 17531, 17532, 17533, 17534, 17535, 17672 & 30635, PART OF LOTS 17527, 17528 & 17529, PART OF OUT LOTS 366 & 368, PARCELS 248038 & 245433, WARD 9 (ANTHONY GATTUSO @ 1800 19TH ST NE). - PLANNING COMMISSION
5. REQ REPLAT OF LOTS 14562, 14563, & 14564, PARCELS 202965, 235505, & 224486, WARD 1 (CANTON FOR ALL PEOPLE @ 417-423 BROWN AVE NW). - PLANNING COMMISSION
6. REQ REPLAT PART OF LOTS 9298 & 9299, PARCELS 212634 & 223922, WARD 1 (CANTON FOR ALL PEOPLE @ 910 FULTON RD NW). - PLANNING COMMISSION
7. REQ REPLAT OF LOTS 24593 & 24594, PARCELS 224490 & 224491, WARD 4 (HABITAT FOR HUMANITY @ 300 HENRIETTA AVE NE). - PLANNING COMMISSION
8. REQ REPLAT PART OF LOT 4681, ALL OF LOTS 4679 & 4680, PARCELS 231357, 207539, & 230957, WARD 4 (HABITAT FOR HUMANITY @ 300 TYLER AVE SE). - PLANNING COMMISSION
9. REQ REPLAT PART OF LOTS 3623 & 3624, PARCEL 244934, WARD 4 (HABITAT FOR HUMANITY @ 200 TYLER AVE SE). - PLANNING COMMISSION
10. REQ REPLAT PART OF LOTS 3592 & 3593, AND ALL OF LOT 3594, PARCELS 210358, 204349 & 221142, WARD 4 (HABITAT FOR HUMANITY @ 2040 TUSCARAWAS ST. E). - PLANNING COMMISSION
11. REQ 5% NON-BARGAINING CIVIL SERVICE EMPLOYEE WAGE INCREASE (ADAMARIS CORTES - CIVIL SERV. DEPT); EMERGENCY. - SERVICE DIRECTOR FORCHIONE



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12. REQ PURCH OF PLAY EQUIPMENT AT STARK WAYNE SHRADER PARK. - SERVICE DIRECTOR HIGHMAN
13. RPT OF PARKING METER REVENUE FOR 8/30/24. - TREASURER PEREZ
14. RPTS OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 8/30/24. - 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 #15.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #15 THROUGH #18 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#15. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO RESURFACING, INCLUDING MINOR BRIDGE MAINTAINANCE ON SEVERAL STRUCTURES, ON US 30 WITHIN THE CITY OF CANTON, DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- O#16. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO SUBMIT ANY SUBSTANTIAL AMENDMENT TO THE CITY'S 2023 AND 2024 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF ESG PROGRAM FUNDS; AND ENTER INTO ALL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY AND ALL PROCUREMENT PROCEESES AUTHORIZED IN THE CODIFIED ORDINANCES OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Community & Economic Development Committee
- O#17. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) F-450 TRUCK AND CUSTOMIZED EQUIPMENT; OR TO ALTERNATIVELY MAKE SAID PURCHASE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Public Property Capital Improvement Committee
- O#18. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 181/2024** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT TO HIRE A BBS MULTI-CERTIFIED INSPECTOR AT AN HOURLY RATE OF \$57.69 PER

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HOUR IN AN AMOUNT NOT TO EXCEED \$120,000 PER YEAR THREE (3) YEARS/ AUTHORIZING THE CONTRACT TO BE AUTOMATICALLY RENEWED UNLESS TERMINATED BY EITHER PARTY AND RENEWED YEARLY AT AN INCREASE OF 3% OF THE HOURLY RATE; AUTHORIZING THE CONTRACTED MULTI-CERTIFIED BBS INSPECTOR TO USE A CITY VEHICLE; AND DECLARING THE SAME TO BE AN  
Referred to Personnel Committee

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol... Oh I'm sorry... I better... . At this time the Chair would declare an in- recess for the Personnel Committee... Committee to meet in regards to Ordinance #18 on your Agenda this evening. You are in recess.

***(COUNCIL RECESSED AT 7:36 PM FOR THE PERSONNEL COMMITTEE TO DISCUSS O#18 and; RECONVENED AT 7:46 PM)***

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

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

PRESIDENT BATES AYLWARD: Mr. Giavasis...

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: Second... It's been moved and seconded to suspend Rule 22A to place Ordinance #18 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 8 YEAS, 2 ABSTENTIONS  
 (MEMBER MARIOL AND MEMBER CHRIS SMITH ABSTAINED)

CLERK WOOD: Eight yeas, two abstention, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #18 is a legal part of your agenda. Leader Babcock.

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

MEMBER GIAVASIS: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to suspend the Statutory Rules on Ordinance #18. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 8 YEAS, 2 ABSTENTION  
 (MEMBER MARIOL AND MEMBER CHRIS SMITH ABSTAINED)

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CLERK WOOD: Eight yeas, two abstention, Madam President.

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

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 8 YEAS, 2 ABSTENTION  
(MEMBER MARIOL AND MEMBER CHRIS SMITH ABSTAINED)

CLERK WOOD: Eight yeas, two abstention, Madam President.

**#18 ADOPTED AS ORDINANCE NO. 181/2024**

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #18 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 #19.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #19 THROUGH #24 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#19. (2<sup>ND</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)
- O#20. (2<sup>ND</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.
- O#21. (2<sup>ND</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)
- O#22. (2<sup>ND</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

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OF ONE AGED POLICE K9; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN ( \$7,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER).

O#23. (2<sup>ND</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

O#24. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 182/2024** AN ORDINANCE AMENDING CHAPTER 919, SIDEWALK AND CURB REPLACEMENT PROGRAM OF THE CANTON CODIFIED ORDINANCES

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we suspend Statutory Rules on Ordinance #24.

MEMBER BABCOCK: Second.

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

PRESIDENT BATES AYLWARD: Thank you. The motion carries. You've heard the three readings. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you 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. 182/2024**

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

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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 #25.

***NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ THE FOLLOWING ORDINANCES #25 AND #26 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 183/2024** 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.

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#25 ADOPTED AS ORDINANCE NO. 183/2024**

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. 184/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTION OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCITON 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

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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)

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

**#26 ADOPTED AS ORDINANCE NO. 184/2024**

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

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT BATES AYLWARD: We are under the Announcement of Committee Meetings. Our next meeting date is September 23, 2024. Committee Meetings will begin at 6:45 PM. Public Safety & Thoroughfares.

MEMBER BABCOCK: Madam President, Public Safety & Thoroughfares will meet... what date...

PRESIDENT BATES AYLWARD: 23<sup>rd</sup>.

MEMBER BABCOCK: 23<sup>rd</sup>, at 6:45 PM.

PRESIDENT BATES AYLWARD: Thank you and Community & Economic Development.

MEMBER HAWK: Madam President. Community & Economic Development will meet at the same date, same time, thank you.

PRESIDENT BATES AYLWARD: Okay will someone call Public Property Capital Improvement for Member Scaglione?

MEMBER MARIOL: Public Property Capital Improvement same time, same place.

PRESIDENT BATES AYLWARD: Thank you.

**MISCELLANEOUS BUSINESS**

PRESIDENT BATES AYLWARD: We are now under Miscellaneous Business. Is there any Miscellaneous Business that any of the Members would like to bring before the body? Hearing none, Leader Mariol.

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MEMBER MARIOL: Madam President, I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you, very much we are adjourned. (*Gavel falls*)

ADJOURNMENT TIME: 7:55 PM

ATTEST: September 20, 2024  
JILL M. WOOD  
CLERK OF COUNCIL

APPROVED:  
KRISTEN BATES AYLWARD  
PRESIDENT