

MINUTES OF THE MEETING SEPTEMBER 27, 2024

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

ROLL CALL TAKEN BY CLERK WOOD:

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

TEN COUNCIL MEMBERS PRESENT (PRESIDENT BATES AYLWARD, MEMBERS GIAVASIS AND CHRIS SMITH ABSENT)

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

EXCUSING MEMBERS

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President I move we excuse Madam President Kris Bates, Member Louis Giavasis and Member Chris Smith from tonight's meeting.

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to excuse President Bates, Council Member-at-Large Giavasis, and Ward 4 Councilwoman Chris Smith from the meeting. Madam Clerk, roll call pl...roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: The motion carries and President Bates, Member Giavasis and Member Smith have been excused from this evening's meeting. Tonight's invocation will be given by Ward 3 Councilman, Jason Scaglione. If you would please stand and remain standing for the pledge of Allegiance.

The special meeting of Canton City Council was held on September 27, 2024 at 6:00 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 3 Council Member, Jason Scaglione. The Pledge of Allegiance was led by President Pro Tem, Mariol.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT PRO TEM MARIOL: Thank you, Member Scaglione.

MEMBER SCAGLIONE: You're welcome.

PRESIDENT PRO TEM MARIOL: We are now moving on to Agenda Corrections and Changes. So, tonight we're gonna do...um...our order of Agenda slightly differently. Pursuant to Rule 12 B, I'll be adjusting the order that we go through our business tonight. Um...but...Leader Babcock.

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MEMBER BABCOCK: Mr. President, I move to suspend Rule 22A to add second reading to Ordinances #18 through 20 to this evening's agenda.

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: Heard the motion, and a second?

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: Madam Clerk, roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: Thank you. The motion carries and Ordinances 18 through 20 are a legal part of our agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MARIOL: We are now moving on to Public Hearings. We have no Public Hearings.

OLD BUSINESS

PRESIDENT PRO TEM MARIOL: We're moving on to Old Business...so...I want to take a moment to...uh...explain for the audience...if you don't have the rules then you might have gotten a copy. Um...Rule 12 B allows the Presiding Officer to...uh...rearrange the way that we go through the agenda, so, we are having this meeting tonight to carry out the votes that we did not do on Monday. Um...we know that we have speakers signed up for Public Speaks, Public Speaks is something that this Council believes very strongly in. Um...but we also need conduct...to conduct our business. We were unable to do that Monday night. So we will be having Public Speaks tonight. We will have Public Speaks after we conclude our voting on our motions, so...with Old Business concluded, uh...we're going to move on to Communications. Madam Clerk.

CLERK WOOD: Communications are received as read.

COMMUNICATIONS

PRESIDENT PRO TEM MARIOL: We are now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS, WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY, IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED SEPTEMBER 27, 2024.

1. REQ JOB CREATION & RETENTION TAX INCENTIVE AGMT WITH SCHAUER GROUP; EMERGENCY. – ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
2. REQ FFY 2025 OHIO TRAFFIC SAFETY OFFICE IDEP/STEP GRANT; EMERGENCY (SUPP APPROP TO 1001 102001 – POLICE ADMIN – OTHER). – SAFETY DIRECTOR PERRY

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3. REQ WATER DEPT AND WATER RECLAMATION FACILITY (WRF) MANAGEMENT AND ON-BARGAINING CLASSIFICATION PLANS UPDATES; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
4. REQ EXCHANGE OF REAL ESTATE AGMT WITH CANTON CITY SCHOOLS; EMERGENCY. – SERVICE DIRECTOR HIGHMAN

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MARIOL: Thank you. We'll move on to First Readings.

(CLERK WOOD MISTAKENLY READ ORDINANCE #6 BEFORE O#181/2024 WAS RECONSIDERED)

O#6. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS OF TITLE SEVEN AND CHAPTER 1147, PERMITTED USES – BUSINESS AND INDUSTRIAL ZONING DISTRICTS OF TITLE THIRTEEN OF THE CANTON CODIFIED ORDINANCES **PUB HRG 10/7/24 @ 7:00 PM**
Referred to Judiciary Committee

CLERK WOOD: Excuse me...

PRESIDENT PRO TEM MARIOL: You...you...

CLERK WOOD: Mr. President, we have to #5, and that's you and Babcock...Member Babcock.

PRESIDENT PRO TEM MARIOL: Do that now? Okay. Alright, we are going to have a Reconsideration on Ordinance #5...

MEMBER BABCOCK: Oops, sorry.

PRESIDENT PRO TEM MARIOL: Leader.

O#5. (1ST RDG) **ADOPTED AS RECONSIDERED AS ORDINANCE NO. 181/2024** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT TO HIRE A BBS MULTI-CERTIFIED INSPECTOR AT AN HOURLY RATE OF \$57.69 PER HOUR IN AN AMOUNT NOT TO EXCEED \$120,000.00 PER YEAR FOR 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 EMERGENCY (BUILDING AND CODE DEPARTMENT)

MEMBER BABCOCK: Mr. President, I move we Reconsider Ordinance #181/2024, adopted on September 16, 2024.

MEMBER CRYSTAL SMITH: Second.

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PRESIDENT PRO TEM MARIOL: We have a motion and a second. Comments?

MAYOR SHERER: Mr. Chairman, Members of Council.

PRESIDENT PRO TEM MARIOL: Mayor.

MAYOR SHERER: This is a reconsideration from last uh...the last Coun...er, the last...when Council did not secure enough votes to do a first reading as an emergency. The reason for this reconsideration is the need for the Building Department to have a Master Inspector for the Building Department. Currently, right now, given there is a shortage of statewide inspectors and we use SAFEbuilt as...the Building Department uses SAFEbuilt as a backup. And really, SAFEbuilt is a backup for the entire Building Department. SAFEbuilt is struggling to find people to work for them. So this is a three year agreement, and it...not to exceed \$120,000.00 a year, even to hire SAFEbuilt is \$95.00 an hour. So, hiring this contract employee with the certifications will fill electrical HVAC in building both residentially and commercially, and will save the Building Department by hiring this one person, over \$50,000 annually. This position will help the Building Department fill three vacancies that have been open for almost two years, with building HVAC and almost five years for electric...electrical inspections. To make sure that...with the need for...with the housing crisis that we have in this country and working with Habitat for Humanity and Canton for All People and building new house, right now this is...that is the reason for this reconsideration tonight.

PRESIDENT PRO TEM MARIOL: Okay. Any other remarks?

MEMBER MORRIS: Mr. President.

LAW DIRECTOR REESE: Excuse me, I'm sorry. As way of clarification for the record only...

PRESIDENT PRO TEM MARIOL: Law Director, please...

LAW DIRECTOR REESE: On...On September 16th, the meeting, Council suspended the Rule with 8 votes, not the required 9. So we need...the reconsideration is to erase the previous vote that occurred and a vote on suspending of the rules and the vote to re-approve the need to be done. Thank you.

PRESIDENT PRO TEM MARIOL: Thank you, Law Director. Member Morris.

MEMBER MORRIS: Mayor, this does not include any benefits, right? This is just a contract amount for \$57.69, no benefits, just straight contract, correct?

MAYOR SHERER: That is correct, Member Morris.

MEMBER MORRIS: Thank you.

PRESIDENT PRO TEM MARIOL: Any other remarks? ...Hearing none, roll call vote please, Madam Clerk.

NO REMARKS

ROLL CALL 9 YEAS, 1 ABSTAIN

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(MEMBER MARIOL ABSTAINED)

CLERK WOOD: Nine yeas, one abstention, Mr. President.

PRESIDENT PRO TEM MARIOL: The Motion carries and we have reconsidered Ordinance 181/2024. Leader.

MEMBER BABCOCK: Mr. President, I move we suspend Rule 22A to place Ordinance #181/2024 back on this evening's agenda.

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to suspend Rule 22A to place Ordinance #181/2024 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote please, Madam Clerk.

NO REMARKS

ROLL CALL 9 YEAS, 1 ABSTAIN
(MEMBER MARIOL ABSTAINED)

CLERK WOOD: Nine yeas, one abstention, Mr. President.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded...I'm sorry...The Motion carries and Ordinance 181/2024 is a legal part of our agenda. Leader.

MEMBER BABCOCK: Mr. President, I move we suspend the Statutory Rules on Ordinance #181/2024.

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to suspend the Statutory Rule on Ordinance #181/2024. Are there any remarks? ...I apologize

MEMBER CRYSTAL SMITH: That's okay. I second.

PRESIDENT PRO TEM MARIOL: Now it's been moved and seconded to suspend Statutory Rules on Ordinance 181/2024. Any Remarks? ...Hearing none, roll call vote please, Madam Clerk.

NO REMARKS

ROLL CALL 9 YEAS, 1 ABSTAIN
(MEMBER MARIOL ABSTAINED)

CLERK WOOD: Nine yeas, one abstention, Mr. President.

PRESIDENT PRO TEM MARIOL: We've heard the three readings. Leader.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #181/2024, as rec...reconsidered. Second...second...

MEMBER CRYSTAL SMITH: Second, sorry.

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PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #181/2024, as reconsidered. Are there any remarks? ...Hearing none, roll call vote please, Madam Clerk.

NO REMARKS

ROLL CALL 9 YEAS, 1 ABSTAIN
(MEMBER MARIOL ABSTAINED)

CLERK WOOD: Nine yeas, one abstention, Mr. President.

#5 ADOPTED AS RECONSIDERED AS ORDINANCE NO. 181/2024

PRESIDENT PRO TEM MARIOL: The Motion carries and 181/2024 has...as reconsidered, has been adopted. Madam Clerk, you may begin on Ordinance 6.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ ORDINANCES #6 THROUGH #17 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

CLERK WOOD: I've already read 6, and it was referred to Judiciary.

- O#7. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (VARIOUS APPROP TRFS, SUPP APPROPS & INTER-FUND TRFS)
Referred to Finance Committee
- O#8. (1ST RDG) AN ORDINANCE VACATING A PORTION OF 6TH ST. NW RIGHT OF WAY; APPROVING AND ACCEPTING THE REPLAT OF LOT 43540 AND THE VACATED PORTION OF 6TH ST. NW; AND DECLARING THE SAME TO BE AN EMERGENCY (FOR CANTON PALACE THEATRE ASSOC @ 605 MARKET AVE N., WARD 2)
PUB HRG WAIVED
Referred to Public Safety & Thoroughfares Committee
- O#9. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 17525, 17526, 17530, 17531, 17532, 17533, 17534, 17535, 17672, 30635, PART OF LOTS 17527, 17528, 17529 AND PART OF OUTLOTS 366 AND 368; AND DECLARING THE SAME TO BE AN EMERGENCY (ANTHONY GATTUSO FOR BOSS PROPERTY MANAGEMENT, LLC @ 1800 19th ST NE, WARD 9)
Referred to Public Safety & Thoroughfares Committee
- O#10. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 14562, 14563, AND 14564; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON FOR ALL PEOPLE @ 417 – 423 BROWN AVE NW, WARD 1)
Referred to Public Safety & Thoroughfares Committee
- O#11. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 9298 AND PART OF LOT 9299; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON FOR ALL PEOPLE @ 910 FULTON RD NW, WARD 1)

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- O#12. (1ST RDG) Referred to Public Safety & Thoroughfares Committee
AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 24593 AND 24594; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY @ 300 HENRIETTA AVE NE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- O#13. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 4681 AND ALL OF LOTS 4679 AND 4680; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY @ 300 TYLER AVE SE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- O#14. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 3623 AND 3624; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY @ 200 TYLER AVE SE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- O#15. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 3592 AND 3593 AND ALL OF LOT 3594; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY @ 2040 TUSCARAWAS ST E, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- O#16. (1ST RDG) AN ORDINANCE AUTHORIZING SETTING THE SALARY OF ADAMARIS CORTES, RECRUITMENT & MARKETING SPECIALIST FOR THE CIVIL SERVICE DEPARTMENT, AT FIVE PERCENT (5%) ABOVE HER CURRENT SALARY AS OF THE PASSAGE OF THIS ORDINANCE AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee
- O#17. (1ST RDG) **ADOPTED AS ORDINANCE NO. 185/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT THE FFY 2025 IMPAIRED DRIVING ENFORCEMENT PROGRAM SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT THROUGH THE OHIO DEPARTMENT OF PUBLIC SAFETY, OHIO TRAFFIC SAFETY OFFICE IN THE AMOUNT OF \$53,388.78; AMENDING APPROPRIATION ORDINANCE NO. 61/2024 AND DECLARING THE SAME TO BE AN EMERGENCY (\$53,388.78 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER)
Referred to Finance Committee

CLERK WOOD: Mr. President.

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PRESIDENT PRO TEM MARIOL: At this time we'll call a recess for the Finance Committee to meet regarding Ordinance #17.

(COUNCIL RECESSED AT 6:14 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#17; RECONVENED AT 6:24 PM)

PRESIDENT PRO TEM MARIOL: Council is now reconvening after the recess, Leader.

MEMBER BABCOCK: Mr. President, I move we suspend Rule 22A to place Ordinance #17 back on this evening's agenda.

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to suspend Rule 22A to place Ordinance 17 back on this evening's agenda. Are there any remarks? Member Sacco.

MEMBER SACCO: Yes, I'd like to have an explanation what we're voting on, please.

SAFETY DIRECTOR PERRY: Mr. President, to uh...Councilman Sacco. The police department...the Canton Police Department...um...applied for and was awarded the Fiscal Year 2025 Impaired Driving Enforcement Program and the Selective Trasfic...Traffic Enforcement Program. These dollars will be utilized to...um...assist in reducing traffic fatalities and as well as individuals not utilizing seat belts. So, those will be the specific areas that will be targeted with the \$53,388.78. And the reason I needed it passed on the first reading is that the grant actually goes into effect on October 1st. Thank you.

PRESIDENT PRO TEM MARIOL: Any other questions? ...Hearing none, roll call vote, please, Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #17 is a legal part of our agenda. Leader.

MEMBER BABCOCK: Mr. President, I move we suspend the Statutory Rules on Ordinance #17.

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to suspend the Statutory Rules on Ordinance #17. Are there any remarks? ...Hearing none, roll call vote, please, Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: You've heard the three readings. Leader.

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

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MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded that you adopt Ordinance #17. Are there any remarks under this Ordinance?...Hearing none, roll call vote, please, Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 185/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance 17 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MARIOL: Moving on to Second Readings, Madam Clerk.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ ORDINANCES #18 THROUGH #20 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#18. (2ND 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

O#19. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO SUBMIT ANY SUBSTANTIAL AMENDEMENT 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.

O#20. (2ND 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 ALTERENATIVELY MAKE SAID PURCHASE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY.

CLERK WOOD: Mr. President.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

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PRESIDENT PRO TEM MARIOL: Thank you, Madam Clerk. We are now under Ordinances and Final...Formal Resolutions for their Third Final Reading and Vote. Madam Clerk, Ordinance #21.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ THE FOLLOWING ORDINANCES #21 THROUGH #25 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 186/2024** 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) **PUB HRG WAIVED**

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER CRYSTAL SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 186/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #21 has been adopted. Ordinance #22, please.

O#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 187/2024** 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.

PRESIDENT PRO TEM MARIOL: Thank you. Leader Babcock.

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

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #22. Are there any remarks?...Hearing none, roll call vote Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

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CLERK WOOD: Ten yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 187/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #22 has been adopted. Madam Clerk, Ordinance ##23.

O#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 188/2024** 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)

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #23. Are there any remarks?...Hearing none, roll call vote, Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 188/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #23 is adopted. Ordinance #24, Madam Clerk.

O#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 189/2024** 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 UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN - OTHER).

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #24. Are there any remarks?...Hearing none ...

MEMBER MORRIS: Mr...Mr. President.

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PRESIDENT PRO TEM; ...oh, yes, Member Morris.

MEMBER MORRIS: Can somebody clarify what one aged police dog is? Is that like a one year old dog? And at a cost of \$7,500.00, and I get it's grant money, do we get some kind of like warranty on this robo dog?
(Laughter)

PRESIDENT PRO TEM MARIOL: Safety Director.

SAFETY DIRECTOR PERRY: Mr. President. To...um...Councilman Morris. We...um...when we discussed this previously, this might...meaning aged, means that it's not a puppy. It's a dog that has been...um... previously trained and these dogs are very expensive, so the \$7,500.00 is a discount. And these dogs usually last for about...I don't know...five to six years, somewhere around that timeframe.

PRESIDENT PRO TEM MARIOL: Any other questions? ...Hearing none, roll call vote, Madam Clerk.

NO REMARKS

ROLL CALL 9 YEAS, 1 ABSTAIN
(MEMBER MORRIS ABSTAINED)

CLERK WOOD: Nine yeas, one abstention, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 189/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #24 is adopted. Ordinance #25, Madam Clerk.

O#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 190/2024** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR SERVICES PERFORMED BY AND/OR ON BEHALF OF THE CITY OF CANTON BUILDING AND CODE DEPARTMENT FOR BOARD UP/CLEAN UP/DEMOLITION CHARGES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MARIOL: Thank you. Leader Babcock.

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

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #25. Are there any remarks?...Hearing none, roll call vote, Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 190/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #25 is adopted.

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PRESIDENT PRO TEM MARIOL: We are under the Announcement of Committee Meetings. Our next meeting date will be, September 30th and Committee Meetings will start at 6:15.

MEMBER BABCOCK: Public Safety & Thoroughfares will meet September 30th at 6:15 p.m.

CLERK WOOD: Judiciary.

MEMBER BABCOCK: Oh, sorry. Judiciary will meet the same time, same place.

PRESIDENT PRO TEM MARIOL: Somebody...

CLERK WOOD: Finance.

MEMBER HAWK: Finance Committee will meet the same time, same place. Thank you.

CLERK WOOD: Personnel.

MEMBER KIMBROUGH: Personnel will meet the same time, same place. Thank you.

PUBLIC SPEAKS

PRESIDENT PRO TEM MARIOL: Okay, thank you. We are going to be moving on to Public Speaks. So, thank you all for bearing with us, bearing with me as I do this for the first time, so thank you. First up tonight on Public Speaks, we have Monique Conners.

MONIQUE CONNERS: Good evening. I'm Monique Conners. 1702 Tuscarawas E., Canton Ohio. I know I only get three minutes and I can talk a lot, so I'm just going to go straight to the point. Um...I do want to commend the Canton Police Department for a great job they did trying to find a six year old little boy...um...twice. They came out and they did an excellent job on trying to keep the peace and trying to keep everybody calm. I did no...notice three officers that stood out: Legg, Jones and Sgt. Birone. So, I do want to commend them for a great job of trying to recover this child. And...on a second note...I'm very disappointed with Council, especially our Council President, to shut down City Council last week. I think it was a disgrace and it shows that she has lack of control over Council. I do feel that there was a lot of white privilege that went on due to the fact that I witnessed them kick Veronica Early out for trying to tell her sister something that was going on, on the paper. I have witnessed that they have kicked Kim Bell out several times. It was a lot of threats going on, a lot of yelling and screaming and everything, and I didn't see not one person getting kicked out. They'd rather set down...shut down City Council before they would say, "Well, hey, you've got to leave." I think it was terrible and I think it was another form of white privilege. So I don't have no respect for the President of Council. Um...sometimes Council gets heated, you got to listen. They just want to be heard and I feel that she didn't do nothing to try to do that. And anybody that walked out, I lost respect for that too. You should not walk out on the people. We elect you and we'll make sure that we do everything that we can to get rid of you if you cannot handle the job. So, that's my...

PRESIDENT PRO TEM MARIOL: Thank you. (*Applause*). Okay, next up we'll have Jennifer Myers.

JENNIFER MYERS: I was towards the end, so I wasn't...I mean, I came in towards the end, I don't understand why it's out of order.

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SIERRA MASON: Yeah, why is it going out of order?

PRESIDENT PRO TEM MARIOL: Yes, so under Council Rules, there is a rule on Public Speaks, and you guys might have got a copy of this. That if you spoke at the previous four meetings, you're supposed to go...people who didn't speak during that time are supposed to go first. So I am...um...given this being my first time, I am following these rules as I...as I read. Take your time. Uh...we're in no hurry.

JENNIFER MYERS: Okay. My name is Jennifer Myers. I live at 2110 Market Ave. N.

(AUDIENCE ANNOUNCES THAT THEY CAN'T HEAR MS. MYERS)

MEMBER BABCOCK: Is it on?

CLERK WOOD: It's on.

JENNIFER MYERS: I'm here because I am frankly terrified in this community. Um...and super disappointed in the outcome of what's happening...what happened with the Zachary Fornash case. They...it's...it's an outrage in my opinion. There was no de...de-escalation. I was at Council Meetings in 2020 and it was my understanding that this community was going to adopt the 8 Can't Wait. At least some of those rules...um...I mean, as I've reflected before here as a teacher, I have to have my own insurance if something happens to someone I am servicing. And frankly, that's how it should be with police and with the officials, but after your statements during one of the other meetings, that it protects all government officials, now I understand why nobody wants to get rid of it. It's gotta go. You guys are supposed to be representing us and doing your best to build up a safe community that is for the people. You're not our leaders, you're supposed to be our representatives and you're supposed to hear our voices out. And what happened last week was not anyone hearing our voices. And that's what...the First Amendment? Um...I mean I was lucky. Like I told you before, I spent ten years on Lippert Road. My child came out with scholarships to go to Ohio State. She luckily was invested in education and community programs. But what else is there in this community because every kid is not going to be in to that. And these kids that are into it, and want to build up this community, question whether they want to stay here because it feels so unsafe or move on to the next place. And I'm telling you this right now, if you lose my daughter in this community, you've lost a valuable asset. *(Applause)*. Justice for Frank Tyson and justice for Zachary Fornash.

PRESIDENT PRO TEM MARIOL: Thank you for your comments. Thank you. Okay, next up we have Roger Gates.

ROGER GATES: My name's Roger Gates. I live 611 Smith Ave. NW. I am just one of "We The People", okay. I am here because of the amount of disrespect that we are being shown right now. We are coming to you with legitimate concerns, and most of you folks, you get the...as I was told as a child, "Take as you may, take as you might, but gain the wisdom." Knowledge, then you can act. Most of the people that I speak to, I am in the community, we are the community. You are absent. Take it as you may, take it as you might. Being out of touch is killing you, because "We The People" are starting to come to you and we're being ignored, we're being ridiculed. We're trying to solve these problems. We're not asking you to solve the problems, we're coming to you, trying to help you solve the problems and you are denying us that. It don't matter the color of my skin, we're all melatonin, okay. I do not give two cares, I am here for us. I am standing for us. I have proof of certain things, but nobody wants to hear it because it goes against their agenda, their policies, their ordinances, their clubs, whatever. Okay. That is not freedom for us, "We The People" because we are not being heard. We need to be heard. That'll bridge the gap between us and come to an understanding amongst us. All of us.

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Don't deny us, don't shut us down. Don't act like we don't count. I was told that we...the police department...what we think is our rights and what was given to us by our Constitution of the United States, I was told that those aren't rights that we're violating. So therefore, we're being processed, we're being taught to be feared. I'm not fearing that. I am going to come at you. I am armed with the Constitution. If it's not right and it's not just, then it's not right. There's no gray area anymore. We are going to play in the real realm. "We The People." Listen to us. We're not all crazy. We're not all wacked out. We're trying to come to you guys to have your guys' help. The people that we elected to protect us, the people. Your agendas and your business as usual has got to stop or otherwise it's going to create a bigger divide. You want to continue the divide, that's fine. But you're going to continue to have problems like we had last week, or this past Monday. Now, I'm going to address this. Officer Szaniszlo, last week, was requested by Council to be here, okay, and I'll leave it at that, okay. I'm not going to argue, that's not what this is about. But I'm telling you right now...Zachary and some things are going to come out, about the operations, the way that our police force operates and whether you guys want to hear it, I'm going to put it out there, okay? Thank you.

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Okay, next up for Public Speaks, we have Justin Nicely.

JUSTIN NICELY: Let me pull out this paper real quick here. I'm trying to find a piece of paper here, give me just one second. I'll tell you what, I don't even need the paper. I'm Justin Nicely with the Canton Hall of Shame, 2952 Lincolnway NW, Massillon, Ohio. A former resident of the Jackson Sherrick community of Canton. Now, I come to you guys many times. Countless, countless times to tell you that you don't have systematic racism, you don't have just...you know...just a police brutality problem, you don't just have, you know, a housing epidemic, you don't just have a single father home epidemic, no...no single...no father home epidemic, you don't have a single parent family epidemic, you don't have any of that. What you have is a total entire city of people that are in elected and appointed positions that want to sit there and unfortunately, abuse their roles and titles and not give a damn about the pub...public that they serve anymore. I don't know how many more times I have to come up here and I've been assaulted and harassed. I've been threatened. I've been criminally charged for trying to get answers. I've been conspired against. I have seventy-six gigs of flash drive. I've done a three and a half year investigation and audit on almost every single agency that sits there and represents us, "We The People" and I've come to one conclusion and that is you've all lost sight of where the hell your place is and you need to come back to it. The First Amendment's coming back. The Constitution's coming back. Every single thing that you try to do to overstep your unlawful, unconstitutional policies, they're all coming to an end. I want to teach you guys a little bit, something about the First Amendment. *New York Times vs. Sullivan, 1964. Our profound national commitment to the principal and debate on public issues should be uninhibited, robust, wide open and that it may well include (Inaudible) caustic and sometimes unpleasantly sharp attacks on government and public officials.* Now you guys are all guilty of viewpoint discrimination under the point of law. And then you guys sit there, on top of that, and try to camouflage that viewpoint discrimination pretending that you're protecting the public from disruptive speech. Well, let me tell you something about *(Inaudible) 2017. Giving (Inaudible) viewpoints. It's freedom of speech, you can't over...impede it. And then it even clarifies it even more. We'll elaborate a little bit more with it. (Inaudible) 2019. "Saying whether speech is immoral, scandalous, or otherwise offensive, distinguishes between two opposed sets of ideas.* Now listen to this part, because this is the part you guys have lost sight to. *"Those aligned with the conventional moral standards and those hostile to them, those induces societal nods of approval and those provoking offending condemnation, both are to be unimpeded, equally.* Do you understand? During Public Speaking, the officials are going to tolerate the viewpoints. And they may disagree with what's stated, like in *Texas v. Johnson, 1989, "prevents the government from preventing expression of ideas simply because you find it offensive.* And then, let's talk about *Chicago Police Department v. Mosley, which states the*

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First Amendment means “government may not restrict speech because of its message and its ideas and subject matter or content.” Affidavits are ready. You guys have one week to apologize...

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Next up, we have Sierra Mason.

SIERRA MASON: What happened on Monday...er...sorry. Sierra Mason, 2110 Market Ave. N.

PRESIDENT PRO TEM MARIOL: Thank you.

SIERRA MASON: What happened on Monday was absolutely just disrespectful. It was not only a violation of our rights, but it was a slap in the face to everyone of us that was here. I mean, honestly. This man right here, has literally kicked me out of here for saying two cuss words, two. Two. You remember that? And then he kicked me out and sent me a letter, told me not to come back for like three weeks. But these two white men continue to have more privilege than the black women who have been on the front line in this city, for the last four years. Make it make sense to me. Make it make sense. What Monique said was absolutely true. It was just another way to continue to show us that white people in this community have more privilege than people with more melanin. It breaks my heart. It makes me sad because when I think about how much trauma our city has gone through, it's like we literally do not have a safe space in this community. Not one. We can't even come to City Council, safely, and voice our opinions without thinking that somebody else is going to get more privilege than me just because of the color of my skin. They'll get away with saying something, just because they're quite a bit lighter than me. I shouldn't have to feel that kind of fear. And if you want me to be honest, with the amount of trauma that our city continues to feel, like our city truly is in crisis. Everybody's in survival mode. Every time each one of us comes into this room, we're triggered. And what does that do? It turns us offline. It makes us literally act in survival. So what happened last...this Monday, was our Madam President was so triggered that she literally could not handle herself. And she had to excuse, not only herself, but her entire staff, except for the two Black officials who decided to stay in here. The two Black officials who are actually doing something in our community. Nate Cooks does so much for Stark Count...Stark State and Black students on campus. Chris Smith does so much for our community. Remember that. But take accountability and stop silencing us. We will be heard. Justice for every stolen life in this community.

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. (*Applause*). Okay, next up...oh no, is she still here...is Kim Bell? Kim? Okay, thank you., Daniel Gates.

DANIEL GATES: My name's Daniel Gates and I live in the U.S. Constitutional Republic. I only want one minute.

(*UNKNOWN PERSON*): Can't hear you.

DANIEL GATES: (*Inaudible*). So, it's despicable. It really is. I was taught by your curriculum when I was in school...

(*UNKNOWN PERSON*): Can't hear you.

DANIEL GATES:...that we had a voice, all of us. We say the Pledge of Allegiance...We say the Pledge of Allegiance and you guys don't even honor that. We say...you say that prayer in the beginning, and that's an empty prayer, you pray and there's no meaning behind it. You guys don't want to have objection, and you're trying to program us to that. You want us to follow codes, ordinances. You know what you do with codes?

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You program it. I'm not a computer, don't program me. I have freedom, that's what liberty is. One's own inclination to do whatever they want, within the confines of you don't supersede somebody else's liberties.

PRESIDENT PRO TEM MARIOL: Okay. Thank you for your comments. (*Applause*). That concludes Public Speaks.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MARIOL: We're going to move on to Miscellaneous Business. Is there any Miscellaneous Business? Hearing none, Leader Babcock, motion to adjourn.

MEMBER BABCOCK: Mr. President, I move we adjourn.

MEMBER CRYSTAL SMITH: Second.

PRESIDENT PRO TEM MARIOL: We have a motion and a second to adjourn. Are there any remarks? ...Hearing none, Madam Clerk, roll call please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: Motion carries. We are adjourned (*Gavel falls*)

ADJOURNMENT TIME: 6:46 PM

ATTEST:
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
JOHN MARIOL II
PRESIDENT PRO TEM