

MINUTES OF THE MEETING SEPTEMBER 30, 2024

PRESIDENT PRO TEM MARIOL: Good evening ladies and gentlemen and welcome to Canton City Council. If everyone would... please turn off 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:

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

ELEVEN COUNCIL MEMBERS PRESENT (PRESIDENT BATES AYLWARD, MEMBERS MORRIS ABSENT)

CLERK WOOD: Eleven present, one absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT PRO TEM MARIOL: Thank you. We'll move on to the motion to excuse Members. Leader.

MEMBER BABCOCK: Mr. President, I move we excuse President Bates Aylward and Member Morris from tonight's meeting.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to excuse... uh President Bates and Member Morris from this evening's meeting. Are there any remarks? Hearing none, roll call vote please, Madam Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: The motion carries and President Bates Aylward and Member Morris are excused from this evening's meeting. Tonight's invocation will be given by Ward 4 Councilmember, Chris Smith. If you would please stand and remain standing for the pledge of Allegiance.

The regular meeting of Canton City Council was held on September 30, 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 Chris Smith. The Pledge of Allegiance was led by President Pro Tem, Mariol.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT PRO TEM MARIOL: Thank you, Member Smith. Moving on to Agenda Corrections and Changes. Leader.

MEMBER BABCOCK: Mr. President, I move we suspend Rule 22A... to add second reading to Ordinances #13 through #23 to this evening's agenda.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded Are there any remarks? For the audience I would like to uh... let everyone know, pursuant to 12B we will be also moving Public Speaks like we did

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Friday to the end of the meeting. We will still be having it; but we'll get through our votes and then we'll go into Public Speaks so we can hear from you. Thank you. Roll call vote, Madam Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinances 13 through 23 are a legal part of our agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MARIOL: We are moving on to Public Hearings. We have no Public Hearings for this evening.

OLD BUSINESS

PRESIDENT PRO TEM MARIOL: We're moving on to Old Business. No Old Business.

COMMUNICATIONS

PRESIDENT PRO TEM MARIOL: We are going to move on to 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 30, 2024.

1. REQ STATEMENT OF SERVICES FOR 2904 MARKET AVE N - 2024 ANNEXATION. - ANNEXATION CHAIRMAN MORRIS
2. REQ STATEMENT OF SERVICES FOR 2050 CENTRAL AVE SE - 2024 ANNEXATION. - ANNEXATION CHAIRMAN MORRIS
3. REQ D5J D6 LIQUOR PERMIT TRF FROM SHULAS RESTAURANT CANTON LLC SUITE 101 & PATIO TO HOF VILLAGE CONCESSIONS II LLC SUITE 101 & PATIO @ 2101 HALL OF FAME WAY NW, (WARD 7). - LIQUOR CONTROL DIV
4. REQ NEW D5 LIQUOR PERMIT FOR HOF VILLAGE CONCESSIONS II LLC @ 2101 HALL OF FAME WAY NW, (WARD 7). - LIQUOR CONTROL DIV
5. AUTH COUNCIL CLERK TO CERTIFY LIST OF UNPAID AND DELINQUENT CHARGES FOR BOARD UP/CLEAN UP/DEMOLITION SERVS TO STARK COUNTY AUDITOR; EMERGENCY. - SAFETY DIRECTOR PERRY
6. REQ TO UPDATE NON-OWNER-OCCUPIED REGISTRATION AND INCORPORATE SMHA IN THE REGISTRATION PROCESS. - SAFETY DIRECTOR PERRY

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7. AUTH COUNCIL CLERK TO CERTIFY LIST OF UNPAID AND DELINQUENT CHARGES FOR WATER, SEWER, AND/OR SANITATION SERVS TO STARK COUNTY AUDITOR; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
8. REQ 34TH ST NW AREA WATER MAIN REPLACEMENT AND ROAD WAY IMPROVEMENT PROJ. - CHANGE ORDER NO. 2 - FINAL; EMERGENCY (APPROP TRSF TO 4501 207067 34TH ST AREA WTR MN REPL PROJ. - OTHER). - SERVICE DIRECTOR HIGHMAN
9. AUTH RECEIPT OF FAIR HOUSING ASSISTANCE GRANT FUNDS FR HUD; AMEND O#61/2024; EMERGENCY (SUPP APPROP TO 2215 505010 FAIR HOUSING DEPT - OTHER). - SERVICE DIRECTOR HIGHMAN

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MARIOL: Moving on to 1st Reading Ordinances. Madam Clerk would you please...uh...begin with Ordinance #10.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ ORDINANCES #10 THROUGH #12 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#10. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION AND RETENTION AGREEMENT WITH SCHAUER GROUP PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#11. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 10/2024, AS AMENDED, THE CLASSIFICATION PLAN FOR MANAGEMENT & NON- BARGINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee
- O#12. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OR ANY OTHER NECESSARY CITY OFFICIALS TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE EXCHANGE OF REAL ESTATE DEPICTED ON EXHIBIT A PURSUANT TO OHIO REVISED CODE 3313.40 WITH THE BOARD OF EDUCATION OF THE CANTON CITY SCHOOLS DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development and Public Safety & Thoroughfares Committees.

CLERK WOOD: Mr. President.

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PRESIDENT PRO TEM MARIOL: Thank you. We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, could you please begin with Ordinance #13.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ ORDINANCES #13 THROUGH #23 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#14 ADOPTED AS AMENDED ON 2ND RDG)

O#13. (2ND 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

CLERK WOOD: I don't have 14...One moment, Mr. President.

PRESIDENT PRO TEM MARIOL: No problem.

CLERK WOOD: Num...I'm going to go to number 15...

PRESIDENT PRO TEM MARIOL: Sure.

LAW DIRECTOR REESE: Jill, do you want my copy.

PRESIDENT PRO TEM MARIOL: We have another copy up here, if you'd like.

CLERK WOOD: ...of #14? Thank you.

O#14. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 191/2024** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (VARIOUS APPROP TRFS, SUPP APPROPS & INTER-FUND TRFS)

O#15. (2ND 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**

O#16. (2ND 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)

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- O#17. (2ND 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)
- O#18. (2ND 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)
- O#19. (2ND RDG) 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)
- O#20. (2ND 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)
- O#21. (2ND 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)
- O#22. (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)
- O#23. (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

CLERK WOOD: Mr. President.

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we suspend Statutory Rules on Ordinance #14.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's moved and seconded to suspend the Statutory Rules on Ordinance #14. Are there any remarks? ...Hearing none, roll call vote, Madam Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: Thank you. The motion carries and you've heard the three readings on Ordinance #14. Leader.

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

MEMBER GIAVASIS: Second.

CLERK WOOD: #14

MEMBER BABCOCK: I mean #14. I'm sorry.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded that you adopt Ordinance #14. Are there any remarks? ...Hearing none, roll call vote.

CLERK WOOD: Babby, we have an amendment.

MEMBER BABCOCK: What's that?

PRESIDENT PRO TEM MARIOL: Oh , we do have an Amendment.

MEMBER BABCOCK: Yes we do. Mr. President, I move we amend Ordinance #14 per the copy before each Council Member.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to amend Ordinance #14 per the copy before each of you. Are there any remarks under this Ordinance? ...Hearing none, by voice vote... by voice vote all those in favor signify by saying aye. Opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MARIOL: The ayes have it. Leader.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #14, as amended.

MEMBER GIAVASIS: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 14 by amending the current pending Exhibit A with the attached revised Exhibit A.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #14 as amended. Are there any remarks? ...Hearing none, roll call vote, please, Madam Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #14, as amended, is been adopted.

#14 ADOPTED AS AMENDED AS ORDINANCE NO. 191/2024

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MARIOL: We are no under the uh... Ordinances and Formal Resolutions for their Third Final Reading. Madam Clerk, would you please begin with Ordinance #24.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ THE FOLLOWING ORDINANCES #24 THROUGH #26 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 192/2024** AN ORDINANCE AUTHORIZING AND CONSENTING TO RESURFACING, INCLUDING MINOR BRIDGE MAINTAINANCE ON SEVERAL STRUCTURES, ON US 30 WITHIN THE CITY OF CANTON, AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 192/2024

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

O#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 193/2024** 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

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OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 193/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #25 is adopted. Ordinance #26, please.

O#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 194/2024** 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.

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 194/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #26 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MARIOL: We are under the Announcement of Committee Meetings. We are meeting on, October 7 at 6:45. Community & Economic Development Committee.

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MEMBER HAWK: Oh, excuse me. Community & Economic Development will meet same time, same place. Thank you, sir.

PRESIDENT PRO TEM MARIOL: Thank you. Personnel.

MEMBER KIMBROUGH: Personnel will meet at the same time and same place also, thank you.

PRESIDENT PRO TEM MARIOL: And Public Safety & Thoroughfares.

MEMBER BABCOCK: Public Safety & Thoroughfares along with Community & Economic Development, will me at the same time, same place.

PUBLIC SPEAKS

PRESIDENT PRO TEM MARIOL: Thank you. We are now under Public Speaks and we have for the evening, 13 speakers. When you get up to the microphone if you could give you name and we'll start the clock for you. Uh... first up will be Jessica Griffith.

JESSICA GRIFFITH: Hi. Uh... I'm Jessica Griffith. I'm a resident of Canton. Uh... I'm an aspiring activist and also law student. Uh... I just want to say that it can start with the City of Canton, Ohio to help solve... uh the problems that have been going on. Like we can start a lead and others can follow our lead. Uh... for some reason it just seems like racial injustice in this City has been on an uprising, in the last recent years. And police shootings have gone up. And it's not just here. It's everywhere in the United States, but specifically here. Uh... and it's not just that businesses also can face that as well. Uh... to first solve the problem of racial injustice you have to care about it first and then you have to come up with a plan of action to fix it. So maybe at this time police retraining is appropriate. And I also want to say my son was a victim of that because he received a harsh sentence for a nonviolent offense. And something does need to be done about it. Thank you.

PRESIDENT PRO TEM MARIOL: Thank you very much. (*Applause*) Next up is Tarak Ben. If you could just state your name, thank you.

TARAK BEN DIKH KHILA: My name is Tarak Ben Dikn Khila, American citizen.

PRESIDENT PRO TEM MARIOL: Little closer... a little closer to the mic. Yea there you go.

MEMBER BABCOCK? Is it on?

PRESIDENT PRO TEM MARIOL: It's on.

TARAK BEN DIKH KHILA: Okay I am here today, I have been fighting (*Inaudible*) the American flag for the last five months (*inaudible*) To play the World Championship (*inaudible*) at Las Vegas (*Inaudible*). So... I am here... I am here to speak of... to you guys about... I need some support. I have been training, I work so hard and no there's thirty days left for this World Championship. It's not any competition, it's the second high level competition after the Olympic. I then go to Brazil, the country. (*Inaudible*) I just need support for one month. I have one month left and I need to represent the Country well. I need to focus my training (*inaudible*). Also I got to Cleveland every single day even that's where I go to for my class like hour and fifteen minute drive. So I don't have... even if I do bus like I don't even have enough time to work to take care of my family. So I need some support for one month so I can present the country well and fight for them. It's World Championship,

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people coming from sixty-five different countries. *(Inaudible)* And they have been doing that for *(inaudible)* I know we can do it. So, I just need support for my living cost for month so I can focus on my exercise and my training. That's it, thank you.

PRESIDENT PRO TEM MARIOL: Thank you very much. Appreciate you coming down. Okay next up we have Destinee Jackson.

DESTINEE JACKSON: Alright, I'm Destinee Jackson and I live at 2453 Woodchuck St NE in Canton. Two years ago today, I was acquitted after being unlawfully arrest by Canton PD and maliciously prosecuted by the City of Canton. There were some pretty powerful people pulling strings to ensure all of that happened. There's much about my story that needs to be exposed and in time it will be; but tonight I'm here to address issues of Police misconduct and evidence tampering related to the May 30th K-9 incident. Some officials here are aware of my concerns as I've sent several emails that has mostly gone unanswered. On May 31st= I submitted public records request for bodycam footage from the May 30th incident. It took numerous attempts to obtain the full range of footage from that night. And I was repeatedly lied to about why some of the footage wasn't provided to me. First they claim that certain footage was withheld because it was recorded inside a hospital. That wasn't true, as I was missing footage for a least from at least five officers, none of whom were even at the hospital that night. Eventually I received the missing videos and after reviewing all twenty plus of them, I noticed a significant discrepancy. Each officer's bodycam was a single continuous video. Except for Officer Jacob Dryden. His footage was split into two separate videos with a five minute gap in coverage. That missing footage covered the time when Dryden asked if other officers where going to break and arrest *(inaudible)*. After that, Officer Christian Paris repeated kicked the arrestee's foot apparently following Dryden's sug... uh suggestion. While other officer's bodycams captured this, Dryden's missing footage would've shown it the most clearly. When I asked the records officer about the missing footage, he ignored me several times before finally claiming that the arrestee accidently bumped the stop button on Dryden's bodycam. This explanation is clearly false for several reasons. First the arrestee wasn't close enough to Dryden's bodycam to accidently press the button and this was shown on Officer Paris's footage. Second, according to the bodycam's user guide from the manufacturer, it takes two presses to stop a recording. Making an accidental deactivation highly unlikely. Third, even if the camera had been stopped accidently, reactivating it would've resulted in a thirty second video... the first thirty seconds of the video being without sound. However, Dryden's second video starts immediately with sound. Indicating the footage was cut manually. And if you still aren't convinced that my claim of evidence tampering is creditable to investigate, the final reason that undeniably confirms my claims... Dryden's partner's bodycam shows that Dryden's hands where nowhere near his bodycam when the second video begins. Meaning he did not reactivate it at the time. It's clear that someone manipulated this footage in an attempt to cover up serious misconduct. And I refuse to believe that it's a coincidence that the missing footage just so happens to involve Officer Dryden, a field training officer and S.W.A.T. team member suggesting officers break an arrestee's foot followed by Officer Paris's attempts to do just that. The truth will come out. *(Buzzer)* What are y'all going to do about it? *(Applause)*

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Thank you. Next up we have Michael Eisenhauer, Michael can you give your name.

MICHAEL EISENHAUER: Michael Eishenhauer, no relation. *(Laughter)* I thought I'd clarify that. This is about a simple traffic stop, that when it got into the Canton Municipal Court system, it turned into something far more complicated. Before the police officer pulled me over I knew that when you're... when you're stopped for traffic stop that is in detainment and in that situation Maranda is not read. And yet anything that you say during this time can and will be held against you in a court of law. I knew this. So seeing the officer approach my van, I put my arm out with my driver's license, proof of insurance and registration. He did not look at it, instead he

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said “How are you doing?” and I remained silent. I have 5th amendment right to do that. He said, “Okay I’m going to order you out of your van. If you don’t get out I’m going to arrest you.” He was so close to my van I couldn’t open the door. So, I told him in no uncertain terms, “Step back.” So, I got out of the van. He told me to put my arms up on the top of my van, which I did. Then he grabbed my wrist and I told him, “You have no right to do this.” At the time I was seventy- three. He then... my back is to this officer, he then put me in a chokehold and body slammed me across the road with the full weight of his body coming down on top of me. He tried to pull me up by my... he cuffed me... manage to cuff me and tried to pick me up with just the cuff links which would’ve dislocated my shoulders. I got up. While I was in the... the SUV, he searched my van. There was no probable cause, there was no... uh... no... suspicious behavior. There was none of that. The van was in perfect order. So, the reason he pulled me over, he finally told me, was for (*inaudible*). So here we go into Municipal Court, I have the video for everything I’m talking about right now. This video was shown to a prosecutor by the name of Roy and Judge Kubilus. My attorney was Jimmy Haupt Jr. and the arresting officer was uh... Good...Good...Goodnight. Haupt never went over that video with me. He refused to return my calls. I finally succumb to this and I entered in a plea of no contest a day before the trial during a plea bargaining hearing. This is all on film. And there’s much more to this story then I have the time to say here. So I’m going to leave this for you folks to look at. Anybody here...

PRESIDENT PRO TEM MARIOL: Sir... I just finish your...thank you very much. Yes, please leave that. The Clerk will take that from you. Thank you, sir. (*Applause*) Next up we have, Faten. If you could please state your name.

FATEN ODEN: Faten Oden. In the name of God the most gracious, the most merciful (*inaudible*). As-salamu alaykum, may peace and blessing be upon you. My name is Faten Oden and I am the Executive Director of the Cleveland and Northern Ohio Chapter of the Council on American – Islamic Relations. Otherwise known as CAIR. For those of you do not know about CAIR, we are the largest Muslim Civil Rights and Advocacy Organization in the nation with chapters all over. We make sure to protect American Civil liberties, not just for community, but for all Americans. It’s taken me too long to come here, but I finally can. And with the recent incidents of the Canton City Police I am more compelled than ever to address this Council. I find it highly disturbing that you refuse to pass a Ceasefire Resolution in the City of Canton, while...while your neighbors in Akron were amongst the first to do so. You voted no against peace and you voted yes to the ongoing genocide that has taken the lives of more than forty thousand civilians. And that is a conservative number as there are so many that can’t be found or identified. There are thousands of children missing. Some have been abducted by the occupying entity this United States of America funds and supports with our 3.8 billion dollars of US tax dollars a year, to Israel. Not including special funding just for this recent genocide in Gaza. To bring it closer to home, Stark County spends over 2 million dollars investing in Israel bonds an occupying entity that has been time and time again tied to breaking international and humanitarian laws. And which as has tried in the International Court of Justice for the genocide and the starvation they have done to the people in Gaza. The medical journal the (*inaudible*) estimates up to 186 thousands or even more deaths to be attributable to the current conflict in Gaza. And for some reason this city thought... it wasn’t a good idea to pass a Ceasefire Resolution. Open records request reveals that former City Council Member, Bill Smuckler, texted Member John Mariol and told him he’s not happy about the Ceasefire Resolution and that you’d better be remind Richard Sacco that the largest Jewish community is in his Ward. Sounds like a threat to me. This is absurd! That a person that doesn’t even work here is pulling the strings of the Elected Officials right in front of me. If you take on a position of leadership, then lead. And don’t go missing the day that you’re supposed to take a stance. I’d like to address this notion that Canton has nothing to do with Foreign Affairs, then why did Mariol purchase Ukrainian flags with city funds and place them all over the city. Before I end, I have to skip something, but from Canton to Palestine, end state... end state violence now! Thank you. (*Applause*)

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PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Okay next up we have David Kerestes. David. Thank you.

DAVID KERESTES: I'm here tonight, David Kerestes, 626 Walnut Ave. And I was in here before and talking about 25th St and federal funds being implicated and applied through And... Andy Giannelli, over on Whipple. Uh... There was never anybody who looked into that. And the Building Department covered that up, but that brings me to the Massillon Court at 3500 Lincoln Way East where they're putting in uh... air conditioning and heating. And I don't have any for a year and I complain. And it says right here that the place was habitable. For who, with no air conditioning and heating? It's nothing but a farce. Then I file, I most humbly, respectfully wish to appeal the Magistrate's decision. I was unable to present proper evidence, there were building code violations involving the electric issues and they threaten me and through me in jail if I kept pro se' ing law. Uh... this right here is me asking for the transcript, gave them \$50.00. They couldn't find that transcript. I'm talking about veteran's selling drugs. I'm talking about Matt Schuring selling drugs out of a barber shop. And I get... I get evicted under a Covid Moratorium Violation by Edward Elum and they can't find the transcript. And I call the FBI looking for the transcript, they can't get it for me either. What I have in my hand is a transcript. And it says right here because if you show up at this pretrial on December 15th in the court, without a lawyer, I'll take you into custody, get you one down at the jail. Now this was a bench warrant now why shouldn't I take you in there, but uh... if I'm paying Fred Sturges, an FBI Agent, to represent me, in '94 when I'm... someone trying to run me into three telephone poles and I got a two million dollar life insurance policy and I'm in court and nobody looks into that. And they kept asking me why don't you turn off, why don't you turn off. And that brings me to the FBI again. See I think all these people are being told what to do by our federal government. By law they have to do what they're told or put in jail. And I know that, okay. So, when I look into that, I look up 3500 Lincoln Way East and when I was there with Schuring Realty, Matt Schuring Barbershop, and what do I find, Liberty Tax. He's not even documented in that place. So, quite frankly it's uh... the tax evasion and the uh... unfair marketing advantage by Senator Schuring and his family selling drugs. Don't impress me, thank you. *(Applause)*

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Next up we have Veronica Early. Veronica. If you could give us your name, please.

VERONICA EARLY: Veronica Early 1627 Rowland Ave NE.

PRESIDENT PRO TEM MARIOL: Thank you.

VERONICA EARLY: I'm here again today for the same thing and I'm going to keep coming every week. About the same thing until we get action. First, we sit here and y'all pledge of allegiance to this flag every week. And it's a farce. Every one knows it's a farce. We don't have liberty, we don't have justice. We have...all we have is police officers beating us up, killing us and nothing be done... nothing can be done. I don't understand that. You have... and then... but then I understand it. You have the Police Chief, you have the Mayor saying that these are isolated incidents. They don't happen. Where do you live? Cause it can't be in Canton because this happens all the time. That dog...uh...biting that kid, that's every week. Y'all know that that happens all the time and nobody just video tapes it or whatever, because it happens so much they get tired of it and nothing ever happens. So, people just stop telling you, but I'm going to keep saying something. Uh... I don't understand why we have not... Mr. Mayor, I'm addressing you. Why have we not had a Community Relations Review Board yet? We've been asking for that for years and we still don't have one yet. We demand to have one. We are tired of police policing police. *(Applause)* That doesn't makes sense. If I... if I whoop my child and then my child says I want to appeal to you. Am I going to say I'm wrong? That's just stupid. So we demand a Community Review Board. And we don't want you choosing it, we don't want her choosing it,

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Andrea, we don't want her and we don't want the Police... we want to choose it. It's our right since we're the ones being victimized. We want to choose that board. Uh... I want to talk about how I got kicked out of the City Council meeting for literally whispering. Nobody even knew I did that. They were like "What's going on, why did she get kicked out?" Because I whispered in my sister's ear, "Hey I'm going to ride with you tonight I don't have a car." I got kicked out. Mayor, you were the President up here that time and you kicked me out. And I had all these Council people coming to me outside saying that was wrong what he did, that was so wrong, but they didn't say anything when it was going on. Because everybody is so scared to hold people accountable. You've got to hold people accountable, but if you're not holding people accountable it's going to keep continuing. And I'm saying hold Kyle. You see he's still trying to hold out about that Tyson thing. He don't want to come... He wants to wait until after the election... become... before he brings that to court. Uh uh... y'all need to be bombarding his office with tele... with everything you can do. Telephone calls, emails, whatever you can do. Bombard... tell him we are not going to let him sleep this one through. If he doesn't do something by election... fire him. (*Applause*)

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Okay next up we have Williemeana Jackson. If you could give your name please.

WILLIEMEANA JACKSON: My name is Williemeana Jackson and I stay a 1105 Baker St. SE Canton, Ohio, 44708. I want to talk about the disparities that we face here. With the disparities that we've had. The Mayor made a public statement about a disease after Covid. And all month was September was Infant Mortality Month that means the black babies in this community are dying. They have been dying and been at disproportionately rates in the last past fifteen years, but nobody can say anything about it. Nobody speaks about the disparities that we talk about. With that being said, there's a privilege that came along with that. We do not usually be able to talk. I'll get outloud, I get (*inaudible*) in any of these events that we have publically, but other (*inaudible*) but we'll get arrested or be talked down about saying something. So, this is why we keep getting upset because there's different treatment in different types of areas in different area... uh... different areas. On Friday, we had a special announcement... you buying another dog \$8,500.00 because this one officer gets fired you're going to replace him with another dog... \$8,500.00. These... uh speed traps are known in our community. The second, fourth, and the sixth Wards is where the highway patrol live at. Those are the most disparities proportion areas. Most of those people don't have driver's license, they don't have car insurance, but just trying to make a way, but when you get those fines and taxes you make it harder to get those types of things. And then the city doesn't offer uh... expungement or driving classes or anything like that to try and help these people when they have these classes. You can go look at other city's. Akron has a program called Intervene Little Conviction, for first time offenders. If they get in trouble there's a program that helps them get out of trouble so they can be able to uh... do what they need to do. We want to be able to get people in the union. With the unions we don't know those types of information and we might be racial disparities there as well. So we want to be able to get people good employment, but we would talk about getting good employment, you talk to the leaders that do not pick the people... the right type of people that need to be in those programs. You just had a wait... uh... I'm sorry. ABCD had a construction program. They had a hit over two hundred and fifty people asking to get into this construction program. They only could take fifty. They had a wait for another hundred people. Now they're not offering the program because they're saying the funding is not there, but you still have employment for hundred people that were waiting to get into that class. Uh... also you could clearly see last Monday there was no de-escalation. By that kept arising that's the type of stuff that were talking about d-escalation training with these police officers. And I'm going to always say bring back Officer Sharpe. The only officer that we do have in this community that has good relations with these people that we offer him to get back in this community. And I do appreciate the ones who did stay and didn't walk out with us last week because that meant something to us. That meant that you're trying to stand with us and you're to uh... work with us and get these type of changes. We have the community.... I'm sorry. One more thing, and then in 2017 the City of Canton used to have a

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YouTube channel. So, that way when I didn't want to come to Council, I would watch the YouTube channel. We're asking you to bring the YouTube Channel back because I don't really want to be in here.

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Okay next up we have Roger... uh Roger Gates. Roger. If you could come up and give your name please.

ROGER GATES: My name is Roger Gates, I live at 611 Smith Ave. NW. I have to agree with many in this room with some of the things that are happening. I've had the same things happen to my son. I have seen (*inaudible*). That's why we are coming here. We are trying to solve these problems. We want to be heard, we want something to change because in order for change to take place, we all have to all come together... together and unite. We the people, we hold the power. We're going to take that power back whether it's one step, one fight, it does not matter... at a time. We are coming, the rooms filling, people are listening, people are hearing. We want to be heard. They're tired, we need help. You as our Elected Officials, we are looking for you to help. And we are looking to help you, help us. Don't push us out, don't deny us. We the people, we want to be heard. That's all these people want. That want a change, they don't want to be shot. The don't want to be harassed. They just want to go on living and be law abiding citizens. When you harass them, that's not... that's not giving them the chance to prove that they are what they say they are. We are the people, we are here, we're not going nowhere. So deal. I'm going to just yield at that. Thank...oh, I'd like to thank you guys for listening to us Friday night. I really appreciate that. (*Applause*)

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Next up we have Cassandra White. Cassandra, if you could come up and give your name please.

CASSANDRA WHITE: My name is Cassandra White I live at 816 2nd St Massillon, Ohio. I am Zachery Fornash's mom. I come before you tonight, again as a mother and a concerned citizen. I would like to discuss the situation that happened a few weeks ago in Canton, involving a man dressed up as the Scream character carrying a knife. That incident happened in Canton, but was handled by the Sheriffs. I've gone over the videos and the pictures and I'm just in shock. First I want to applaud the Sheriffs for a great job done. The officer that got out of his cruiser was not hyperventilating, he did not get out with a gun threatening to kill. He followed protocol and policies to de-escalate the situation. Once apprehended and on the ground, there was not one officer on top this... guy with their knees. So, the question is, if my son would have been in county jurisdiction would he have been just tazed and taken down. If Frank Tyson had been at a bar in a county jurisdiction, would he had just been taken to the ground and handcuffed? Why does Stark County know how to follow policy? Do they get they get the proper training where Canton does not? The end result would've been that they would've been arrested and put in jail for crimes that Canton thought they were committing. Well, so be it. That is what we have a judicial system for. Canton Police are not judges and juries. They should not get to decide who lives or dies. Guess what stops that? First, proper training and supervision; second, follow policies and procedures; third how your officers accountable for their actions. The officers involved in Zachary's and Frank's case got a vacation that was paid for four weeks. (*Inaudible*) back to work after that. Our families had to lose a love one. Your policies and procedures need to be enforced. Your Safety Director needs to start doing her job instead of sitting her every Monday with her nose in the air thinking she's better than all of us. You can investigate and officer... that lets a dog loose and an officer that kicks a young man, but if one of your officers kills someone, you just sit there in your chair like we are an inconvenience to you. I'm not going to continue speaking on my son's case. Bobby DiCello has that handled for all it... Canton, but I will continue to come here to see what changes we can make to make Canton Police Department safe for future of our children. (*Applause*)

PRESIDENT PRO TEM MARIOL: Thank you for your remarks...

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CASSANDRA WHITE: Justice for Zach Fornash, justice for Frank Tyson.

PRESIDENT PRO TEM MARIOL: ...Thank you. Next up we have Daniel Gates. If you can give your name please.

DANIEL GATES: My name is Daniel. I stay here.

PRESIDENT PRO TEM MARIOL: Thank you.

DANIEL GATES: I stay here because I'm too poor to leave here. So, I have to be here. I want to remind you guys of the Ohio Constitution, alright. Section 1, "All men are, by nature, free and independent and have certain inalienable rights among which are those of enjoying and depending life and liberty. Acquiring, possessing and protecting property and seeking and obtaining happiness and safety." I'm not safe with your beliefs. They really want me, you can tell by the way they look at me. I don't feel safe in the streets anymore. I don't... I can't call them. Article 1 Section 2, "All political powers inherent in the people. Government is instituted for their equal protection and benefit. And they have the right to alter reform and abolish the same whenever they deem necessary. And no special qualified or immu... no qual... no immunities shall ever be granted." Never be granted. This is before... this is before Congress ruled qualified immunity, okay. This is before. So, before they even did that, our... our... our state recognized it there should be no qualified immunity. People who fought before me for these exact rights, there should be no immunity. None, zero, not to me not any of you. Section 3, "The people have the right to assemble together in a peaceful manner." We did just that, we never made a threat. "To consult for their common good." This is our common good because we're all afraid to die... by your police... that's not... that doesn't sound good to me. "To consult for their common good. To instruct their Representatives." I'm instructing you today that reform is needed. We don't want to abolish because that means we would have to deal with a whole bunch of different politicians. A whole new group and we have to tell them again and we have to say the same fight. So we'd rather reform. "The people have the right to bear arms for their defense and security. But standing armies and time of peace are dangerous to liberty." Your Police Department is a standing army and it's a danger to liberty. It shall not be kept up. Here's the more important part, if it is a standing army... which I believe, in my opinion and many others here, "And the military shall be in strict subordination to the civil power." Who has the civil power, we the people. That's where it was... the inherent right. Article 1 Section 10A, "To secure for victims justice and due process throughout the criminal and juvenile system, a victim shall have the following rights, which... *(Inaudible) (Applause)*

PRESIDENT PRO TEM MARIOL: Thank you. Okay next up we have Justin Nicely, Justin. You can come up here and give us... uh your name please

JUSTIN NICELY: My name is Justin Nicely, former resident of 1124 13th St SW, over at the Jackson Sherrick Communities, now I reside in Massillon. And I've come to you guys for, I don't know how long, past year and a half telling you guys you have problem. And I know I know I'm irrelevant, I'm just Joe Smo a random piece of crap that ain't none of you going to listen to. So, I just decided to you that you know what it's been too long I'm just going to come over here and call everybody out. Let's talk about how come the Canton City Police Department comes to my home and raised my house with CPS, kidnaps my kids off assumption alone. No court paperwork, nothing signed by a judge, no warrants to come into my house. Just a "b"s allegation that I'm under the influence of a substance that I never touched a day in my life. Here's the drug test from July 29th from that day stating that the only thing was in my system that I've been more than open about in from mental health care is nothing but marijuana. Let's talk about those responsible Stark Metropolitan Housing Authority who sit there. I have documents...conspiring to quote and unquote intentionally screw me. And did in my family's time of crisis. Let's go ahead and talk about those who kidnapped my kids and took them and trafficked them in the

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system in New York. Three separate trips, three separate cities all in one months' time that supposedly it never happened. Let's talk about how those who conspired to blackmail me to sign a piece of paper claiming housing dependency that you people caused. To sit there and get my kids back to sweep it all under the rug on October 17, 2019, three months before we're suppose to go to trial. How about we go ahead and talk about our documented Law Director right here, Jason Reese, who is a documented liar. Supposedly has no recollection of his personal acts of intimidation, but here's still frame that's on that video of a nineteen minute video him doing such... and... uh front of my twelve year old on at that time. Now anyone else also want to talk about numerous open record law violation that I got him and his office documented on and then there were retaliatory conduct to try and press charges on people when they try to attain them? I'm not done yet lets go ahead and talk about our wonderful Dire... Safety Director, Andre Perry. Did you call 911 on me and two counselors Oct 23, 2023 claiming my name is Kevin Mullaly, to get a heighten response and.... uh.. have me ambushed by over twenty Canton City Police Officers. Lady, my name is Justin Nicely with the Hall of Shame you all are going to damn well remember me after today. Now, let me talk about charges against the Chief of Police for setting me up November 7, 2023 to come her to supposedly to file grievance which I'm set up to be attacked as soon as I come in through the security entrance. You guys can't release the video footage, you can't release the security lobby footage, you can't release bodycam camera footage, but you sure as hell did release the social security numbers and birthdays of two of your cities bailiffs in discover after you made me plea and ten threatened me to go to jail for calling you to return it back. Now here's the deal we're bringing back the Constitution. One by one we're bringing that... the individual independence. Advocates, if you guys are ready to fight these bastards, get in touch with, let's do this. We're going to bring you down one unlawful policy after another, after another and now that you've poked this papa bear I'm not going away until you come for the damn table, do you understand, have a nice night.

PRESIDENT PRO TEM MARIOL: Thank you for your remarks. Next up we have Sierra Mason. Sierra, you can come up and give your name please.

(Justin Nicely yelling in the background)

PRESIDENT PRO TEM MARIOL: Sierra please, thank you.

SIERRA MASON: Sierra Mason 2110 Market Ave North. I'm not going to lie to you, I didn't bring anything prepared to speak, but wow, do I have a lot to say now. *(Laughter)* Uh... I first just want to say uh... Lord have mercy. Pray for us, pray for us community members. Lord. I think it's a shame that... still... we... we are still talking about family members and we have people on this side of... of this weird ass half wall just shaking their heads. How can you shake your head at a family who is literally lost their loved one at the hands of police department that you work for. Like...you work in the same city and the same government as this police department and condone and continue to... support and fund this police department. Yet, when a family member comes to you after a crisis, you shake your head and dismiss and discern and don't make them feel worthy of even coming here to speak about it. I said on Thursday, we unfortunately in Canton, don't even have a safe space for were we are able to vocalize our voices as citizens. And that's sad. It's shown again tonight that people who are lighter than me, have more privilege then me. Continuing to speak out, continuing to talk and disrupt while people are trying to get their message across. I mean it's a shame and then we want to talk about rules and... you guys want to had us a print out and go as far literally making us sign something stating that we receive this. However, we don't have people who don't pay attention, who roll their eyes the entire meeting, are disrespectful and are not even listening to the citizens who are speaking during Public Speaks. Yet, there's zero accountability, just oh I guess I shouldn't be surprised. There's no accountability within our... any department within this city. I mean Jason Reese is shown has shown time and time again, not only within the black community but with our entire community, that only is he a lair... but he continues to bend rules and frankly

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just break boundaries. Just walk right over them and not care one bit. Even with my case. Completely out of line with some of the things that happened. Yet, somehow Sierra Mason still had to take a charge for uplifting her voice and simply saying, "I heard you the first five times." While I was actively complying, helping an officer. Helping an officer control a crowd. Helping an officer control a crowd. Doing their job once again. Justice for James Williams, Justice for Jaron Mero, Justice for Zach Fornash, Justice for... uh... Frank Tyson. Thank you.

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

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MARIOL: We are now under Miscellaneous Business, is there any Miscellaneous Business for the night? Hearing none, Leader Babcock.

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

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adjourn. Madam Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: This meeting is adjourned (*Gavel falls*)

ADJOURNMENT TIME: 7:52 PM

ATTEST: October 3, 2024
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
JOHN MARIOL II
PRESIDENT PRO TEM