

MINUTES OF THE MEETING NOVEMBER 18, 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:

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

ELEVEN COUNCIL MEMBERS PRESENT (PRESIDENT BATES ALYWARD & MEMBER SCAGLIONE ABSENT)

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

EXCUSING MEMBERS

PRESIDENT PRO TEM MARIOL: Thank you. Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we excuse President ... our President Bates Alyward & Member Scaglione from tonight's meeting.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to excuse President Bates Alyward & Member Scaglione from tonight's meeting. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: The motion carries President Bates Alyward & Member Scaglione are excused from this evening's meeting. Tonight's invocation will be given by Council Member-at-Large, James Babcock. If you'll please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 18, 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 James Babcock. The Pledge of Allegiance was led by President Pro Tem Mariol.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT PRO TEM MARIOL: Thank you, Member Babcock. We are now under Agenda Corrections and Changes. Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we suspend Rule 22A to add second readings to Ordinance #22.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to suspend Rule 22A to add second reading Ordinance #22 to this evening's Agenda. Are there any remarks?... Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #22 is a legal part of our agenda. Pursuant to Rule 12B, we'll be conducting public speaks after uh ... I'm sorry right before Miscellaneous Business.

PUBLIC HEARINGS

PRESIDENT PRO TEM MARIOL: We are now under Public Hearings. We have no Public Hearings for tonight.

OLD BUSINESS

PRESIDENT PRO TEM MARIOL: Uh ... we're under Old Business. Any Old Business for tonight? ... Hearing none.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MARIOL: We'll move on to Informal Resolutions. There are no Informal Resolutions.

COMMUNICATIONS

PRESIDENT PRO TEM MARIOL: We're 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 NOVEMBER 18, 2024.

1. REQ FOR ADDT'L AMENDED CERT DATED 10/31/24. - AUDITOR MALLONN
2. STATEMENT OF CASH POSITION DATED 10/31/24. - AUDITOR MALLONN
3. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR OCTOBER, 2024. - CHIEF BENNETT
4. REQ AUTH TO APPROVE EDITING AND INCLUSION OF ORDINANCES ADOPTED FR 7/15/24 - 10/7/24 INTO COD. ORD.; AUTH TO DISTRIBUTE COPIES OF 10/2024 SUPP TO PUB OFFICIALS AND PUB INSTITUTIONS FREE OF CHARGE, AFFIX PRICE OF \$3.80 FOR SALE OF SAME. - LAW DIRECTOR REESE
5. REQ WAGE INCREASE FOR SALARY AND NON-BARGAINING EMPLOYEES (4% COST OF LIVING EFFECTIVE 1/1/25); AMEND O#10/2024 TO INCREASE SALARY MIN AND MAX. - MAYOR SHERER
6. AUTH TO ESTABLISH A SUCCESSION PLAN FOR ASST. DIR. OF HUMAN RESOURCES (SALARY RANGE \$61,933 TO \$90,943). - SAFETY DIRECTOR PERRY

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7. REQ WEST TUSC ST. SAFETY PROJ PHASE 1, G.P. 1165 DESIGN CONTRACT CHANGE ORDER NO. 2; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
8. REQ FINAL APPROP OF FUNDS FOR 34TH ST. NW AREA WTR MAIN REPLACEMENT AND RDWY IMPROVEMENTS PROJ, EMERGENCY (SUPP APPROP FR 5251 34TH ST. WTR MN REPLACEMENT PROJ FUND TO 5251 207067 34TH ST. WTR MN REPLACEMENT PROJ - OTHER). - SERVICE DIRECTOR HIGHMAN
9. REQ WTR DEPT. CHIEF CHEMIST HIRE; EMERGENCY (DR. CRISTIN BRESCIA, SALARY AT \$79,740.00). - SERVICE DIRECTOR HIGHMAN
10. REQ ENGINEERING DEPT. HIRES AND PERSONNEL ISSUES; EMERGENCY (NICK BARR AND BRANDON WILKINS, SALARY AT \$89,000.00; EDUARDO MOLINA, SALARY AT \$93,000.00). - SERVICE DIRECTOR HIGHMAN
11. LTR INFORMING COUNCIL THAT CITY WILL NOT ENTER PLA FOR - EAST TUSC. STREETScape - PHASE 2, (FR CHERRY TO ROWLAND), GP 1422 AND CLEVELAND AVE. NW STREETScape PHASE 2. GP 1409. - SERVICE DIRECTOR HIGHMAN
12. RATIFY TENTATIVE AGMT BETWEEN CANTON AND AFSCME LOCAL 2937 FROM 1/1/25 TO 12/31/27; EMERGENCY. – SERVICE DIRECTOR HIGHMAN, SAFETY DIRECTOR PERRY
13. RPTS OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 10/31/24. - TREASURER PEREZ
14. RPT OF PARKING METER REVENUE FOR 10/31/24. - TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MARIOL: First Reading Ordinances. Madam Clerk, would you please begin with Ordinance #15.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ ORDINANCES #15 THOROUGH #21 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#15. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE CANTON SERVICE CENTER - 30TH ST NE- 2024 ANNEXATION AREA CONTAINING APPROXIMATELY 1.052 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS 1-1 LIGHT INDUSTRY; AND REQUIRING THE OWNER OF THE ANNEXED TERRITORY TO PROVIDE A BUFFER SEPARATING THE USE OF THE ANNEXED TERRITORY AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY

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- O#16. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL NOS. 206004 & 206005, 4TH ST. NW AND BEDFORD AVE. NW)
Referred to Community & Economic Development Committee
- O#17. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ARPA SUBAWARD AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION IN AN AMOUNT NOT TO EXCEED \$350,000; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#18. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN ESTIMATED AMOUNT OF \$200,000 WITH BURGESS & NIPLE, LTD. AND TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS FOR THE MAPLE AVE. SEWER REPLACEMENT PROJECT - GP 1374; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance & Public Safety & Thoroughfares Committee
- O#19. (1ST RDG) **ADOPTED AS ORDINANCE NO. 223/2024** AN ORDINANCE AUTHORIZING A STARTING ANNUAL SALARY FOR DR. CRISTIN BRESCIA AT \$79,740 AS THE CHIEF CHEMIST WITHIN THE WATER DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee
- O#20. (1ST RDG) **ADOPTED AS ORDINANCE NO. 224/2024** AN ORDINANCE AUTHORIZING A STARTING ANNUAL SALARY FOR NICK BARR AND BRANDON WILKINS AT \$89,000 AS ENGINEERS WITHIN THE ENGINEERING DEPARTMENT; AUTHORIZING SETTING THE SALARY OF EDUARDO MOLINA AT \$93,000 ANNUALLY EFFECTIVE AT THE START OF THE NEXT PAY PERIOD FOLLOWING PASSAGE OF THIS ORDINANCE; AMENDING ORDINANCE NO. 10/2024, AS AMENDED, THE ENGINEERING DEPARTMENT CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING PERSONNEL; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee

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O#21. (1ST RDG) **ADOPTED AS ORDINANCE NO. 225/2024** AN ORDINANCE APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND AFSCME LOCAL 2937 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee

CLERK WOOD: Mr. President.

PRESIDENT PRO TEM MARIOL: At the time the Chair will declare an in house recess for the Personnel and Judiciary Committees to meet in regards to Ordinances #19 through #21 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:07 PM FOR THE PERSONNEL AND JUDICAIRY COMMITTEE TO DISCUSS O#19 THROUGH #21; RECONVENED AT 7:11 PM)

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

MEMBER BABCOCK: Mr. President, I move we suspend Rules 22A to place Ordinances #19 through #21 back on this evening's agenda.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's moved and seconded to suspend the Rule 22A to place Ordinances #19 through #21 back on this evenings agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinances #19 through #21 is uh ... legal part of our agenda. Leader.

MEMBER BABCOCK: Mr. President, I move we suspend Statutory Rules on Ordinances #19 through #21.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's moved and seconded to suspend the Statutory Rules on Ordinances #19 through #21. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

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

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MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 223/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #19 has been adopted. Leader.

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

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded that you adopt Ordinance #20. Are there any remarks under this Ordinance? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 224/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #20 has been adopted. Leader.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 225/2024

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MARIOL: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please read Ordinance 20 uh ... #22.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ ORDINANCE #22 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

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O#22. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT WITH BURGESS & NIPLE LTD. IN AN AMOUNT NOT TO EXCEED \$278,100 FOR THE SANITARY SEWER ASSET MANAGEMENT PLAN UPDATE; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Mr. President.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MARIOL: We are now under Ordinances and Formal Resolutions for their Third, Final Reading and vote. Madam Clerk, please begin with Ordinance #23.

NOTE: PRESIDENT PRO TEM MARIOL CALLED UPON CLERK WOOD TO READ THE FOLLOWING ORDINANCES #23 THROUGH #33 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 226/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION AGREEMENT WITH PINNACLE CARE PROVIDERS PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 226/2024

PRESIDENT PRO TEM MARIOL: Motion carries and Ordinance #23 is adopted. Ordinance #24, please.

O#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 227/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 3587 AND 3588; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 2000 BLK OF TUSC ST. E, WARD 4)

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

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MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: 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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 227/2024

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

O#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 228/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 27095 AND 27096; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 334 GOBEL AVE NE, WARD 4)

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.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 228/2024

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

O#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 229/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 22526 AND 22527; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 2157 6TH ST. NE, WARD 4)

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.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 229/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #26 is adopted. Ordinance #27, please.

O#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 230/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 22775, 22776, 22777, 22778, 35216 AND 35217; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 2500 BLK OF 7TH ST. NE, WARD 4)

PRESIDENT PRO TEM MARIOL: Leader Babcock.

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

MEMBER GIAVASIS: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 230/2024

PRESIDENT PRO TEM MARIOL: Motion carries and Ordinance #27 is adopted. Ordinance #28, please.

O#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 231/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF OUTLOT 915 AND ALL OF LOT 40096; AND DECLARING THE SAME TO BE AN EMERGENCY (IRONROCK CAPITAL INC., 1201 MILLERTON ST. SE., WARD 4)

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #28.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #28. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 231/2024

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PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #28 is adopted. Ordinance #29.

O#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 232/2024** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF OUTLOT 590; AND DECLARING THE SAME TO BE AN EMERGENCY (JAMES SCHMIDT AND CHERYL STEELE, 2951 BALDWIN AVE NE, WARD 6)

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #29.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #29. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 232/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #29 is adopted. Ordinance #30, please.

O#30. (3RD RDG) **ADOPTED AS ORDINANCE NO. 233/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY CONTRACTS NECESSARY TO RESPOND TO THE 303 ELGIN AVE. NW DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH BUTCHER AND SON TO PERFORM THE DEMOLITION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #30.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #30. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#30 ADOPTED AS ORDINANCE NO. 233/2024

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PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #30 is adopted. Ordinance #31, please.

O#31. (3RD RDG) **ADOPTED AS ORDINANCE NO. 234/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE LTD. IN AN AMOUNT NOT TO EXCEED \$267,304 FOR PROFESSIONAL SERVICES RELATED TO THE 2025 LARGE DIAMETER SEWER CLEANING AND INSPECTION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #31.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #31. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 234/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #31 is adopted. Ordinance #32, please.

O#32. (3RD RDG) **ADOPTED AS ORDINANCE NO. 235/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN ESTIMATED AMOUNT OF \$115,000; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS FOR THE 15TH ST. NW AREA STREETScape AND NEIGHBORHOOD IMPROVEMENT PROJECT, GP 1438; AND ENTER INTO ONE OR MORE CONTRACTS FOR THIS PROJECT UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES AND CONTRACTS RELATED TO THIS PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$115,000.00 SUPP APPROP FR 2175 COMPREHENSIVE PLAN IMP. FUND TO 2175 202050 15TH ST. NW AREA STREETScape AND NEIGHBORHOOD IMPROVEMENT PROJ, GP 1438 - OTHER)

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #32.

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MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #32. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#32 ADOPTED AS ORDINANCE NO. 235/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #32 is adopted. Ordinance #33, please.

O#33. (3RD RDG) **ADOPTED AS ORDINANCE NO. 236/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN ESTIMATED AMOUNT OF \$58,000 FOR THE 11TH ST. SE IMPROVEMENTS PROJECT, GP 1144 (11TH ST SE PROJECT); ENTER INTO A CONTRACT CHANGE ORDER WITH S.E.T., INC. IN AN ESTIMATED AMOUNT OF \$675,000 FOR ADDITIONAL IMPROVEMENTS ON CHERRY AVE. SE AS PART OF THE 11TH ST SE PROJECT; ENTER INTO ONE OR MORE CONTRACTS IN AN ESTIMATED AMOUNT OF \$100,000 FOR DESIGN OF THE SHERRICK ROAD AREA NEIGHBORHOOD IMPROVEMENT PROJECT, GP 1465 (SHERRICK PROJECT); ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS FOR THE SHERRICK PROJECT; AND ENTER INTO ONE OR MORE CONTRACTS FOR THESE PROJECTS UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES AND CONTRACTS RELATED TO THIS PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$703,000.00 SUPP APPROP FR 2175 COMPREHENSIVE PLAN IMP. FUND TO 2175 202095 11TH ST. IMPROV. PROJ, GP 1144 – OTHER – \$603,000.00, TO 2175 20205 SHERRICK ROAD AREA NEIGHBORHOOD IMPROVEMENT PROJ, GP 1465 – OTHER - \$100,000.00)

PRESIDENT PRO TEM MARIOL: Leader Babcock.

MEMBER BABCOCK: Mr. President, I move we adopt Ordinance #33.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM MARIOL: It's been moved and seconded to adopt Ordinance #33. Are there any remarks?...Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#33 ADOPTED AS ORDINANCE NO. 236/2024

PRESIDENT PRO TEM MARIOL: The motion carries and Ordinance #33 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGSPRESIDENT PRO TEM MARIOL: We are under the Announcement of Committee Meetings. We are um ... going to be meeting on November 25th uh ... here in Council Chambers at 6:30. We'll also have a presentation by the Akron/Canton Food Bank. Member Morris.MEMBER MORRIS: Mr. President, Annexation will meet on November 25th at 6:30.

PRESIDENT PRO TEM MARIOL: Thank you, Member Hawk.

MEMBER HAWK: Community & Economic Development will Monday November 25th at 6:30.

PRESIDENT PRO TEM MARIOL: Thank you um ... Member Giavasis.

MEMBER GIAVASIS: Mr. President Finance will meet at the same time, same place.

PRESIDENT PRO TEM MARIOL: Thank you and uh ... Member Babcock.

MEMBER BABCOCK: Public Safety & Thoroughfares will meet same time, same place.

PUBLIC SPEAKS

PRESIDENT PRO TEM MARIOL: Thank you. Alright, we're under Public Speaks we have nine speakers tonight. Our first speaker is Jeanette Crable, if you can come to the podium and give your name and address. Jeanette? Jeanette Crable ... no? Okay, we will move on to the second speaker um ... Kim Bell. If you can come to the podium and give your name and address.

KIM BELL: Yes, Kimberly Bell, 1733 Morris Ave. First I want to thank John Mariol, Rob Fisher, Nate Cook, Lou Giavasis for the giveaway you helped me with um ... and Mr. Sacco. And oh ... I ... Andrea Perry, I still have stuff from last time. I want to thank you all for the free give away I had a few weeks ago. I will be having another one if ... if I get a warmer temperature in December. Last week ... last time I was up here I gave you all a summary of the murder of ... of Frank and you all should demand the arrest of the women who started the ... who started the ball rolling by saying "Get him out of here" you know working the cops up to go in there and be violent or to kill this man. And then the ball ... I mean them um ... bartender who used ... who helped use his bare hands and weight to kill uh ... Frank. If me and Frank went like I think ... I think I was talking about the gas station over there on south west side. If me and Frank went into a gas station or a bank and robbed it and during the ... and ... and in the act of us trying to rob the bank, the bank teller or the police officer shoots and kills Frank, I'm getting charged with Franks murder cause we went in there to do that. Why didn't these ... everybody involved gets charged with that murder. Why didn't these two get charged just like the officers? And you as Council Members need to sit down with the law enforcement and say, "They ... those two acted during the crime, during the mur ... during a reckless homicide. Why aren't they charged as well?" Okay Mayor, I've been asking Economic Development for ... to help me with the store I want to open. Kevin and Chris Allison

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lost in the election so I'm going to help them run for Mayor. I'm going to also run and I'm ... I'm want ... I'm going to ask one of the Tyson men to run for Mayor. I'm going to get so many black people on that ballot and I'm praying that it scares you not to run again so, one of us can get in there. I only want ... I only ... I only had a 164 votes, that means 164 people believed in change. The 2,000 plus that you got, they like where they're at, they don't like change. So, that's why they continue to ... that's why they voted for you cause they want ... they don't ... they wanted you to carry on Tom Bernabei or the chain of order that it's been going in for years with these Mayors. You're not going to change anything Tom Bernabei didn't so, those 164 ... votes I'm a ... I'm a try to get Kevin Hall or out ... Chris and uh ... in upstairs, if I don't get up there.

PRESIDENT PRO TEM MARIOL: Thank you very much Kim.

KIM BELL: And another thing, why haven't you ...

PRESIDENT PRO TEM MARIOL: Oh ... uh ... Kim ... Kim I'm sorry you're ... your time is up.

KIM BELL: Talked about the apartments at ...

PRESIDENT PRO TEM MARIOL: Kim

KIM BELL: I mean they've been ...

PRESIDENT PRO TEM MARIOL: Kim ... Kim I'm sorry your time is up, thank you. Next up we have Roger Gates. Roger.

ROGER GATES: My names Roger Gates, I live at 611 Smith Ave Northwest. I gave up my overtime to come in here and speak to you guys because I'm about to go on a grind here because I have to. My problem is ... is that Probate Court has seized my mom's assets. They spent \$300,000 in two years. Two years. They're trying to take my home from me right now, which it was covered under new trust law, telling me that I don't have the right because they operate underneath a maritime law and not the law of the land. I'm going to take it to the law of the land and I'm not done with that yet. I don't have the money to afford a lawyer so I have to represent myself ... so that's why I've been coming to you folks, you guys are my representatives. I pay taxes, I ask for some help because you guys have the resources, you guys have to ability to move it up the chain a little bit. This guardian program is not where it's at. Wish that you guys could look at me and you can judge me and that's fine, but Mr. Mayor, a little bit of this piece of information from you two weeks ago when you stated that we ... we have all this ... all these statistics to spit out at us and we're ... we're ... we're intelligent enough to realize it, okay? Now, the money don't need to be spend they need to be injected into the communities' right now because we are being failed. Not only by our court systems, Adult Protective Services, our police department, our community development is probably working towards the real-estate deals. We don't have the people to fill them houses. We don't even have the jobs to give them people to fill them houses. You guys are directing your money and your attention to the wrong place you are not listening to what we want. We the people. You guys are out of touch with us. We're out here struggling. We're barely surviving but yet, you guys are going to sit here and you're going to pinch pennies over stupid things. You can ... you can say the roads and everything are for the community, but I don't drive. How about walking two hours to work because ... to make \$15 a hour, try that some time ... because I can't afford a car, I can't afford insurance. You say, "Go get another job." I have to reestablish myself at 55 years old, would you like to try that? I have a college education that I can't use because our biggest employers are child support and Job and Family Services. You know what I can't do with the felonies that I got for child support? I can't work for either one of them so now I got a student loan that I'm also paying back on \$15,000 or \$15 an hour. Where do you go? What do you do? I come to you folks. Where's the

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higher paying jobs? Where are they at? Tell me, where are you guys working towards bring jobs in that I can make a half way decent wage in the City of Canton instead of having to go to Massillon, Jackson Township, or anywhere else. Thank you, God bless.

PRESIDENT PRO TEM MARIOL: Thank you, thank you for your comments. Thank you. Next up we have Nickolas Goodnite. If you could state your um ... name and address please, thank you.

NICKOLAS GOODNITE: Nickolas Goodnite and I'm an investor here in Canton and I uh ... I have a question that I was um ... I'm bringing to you I ... I called that Building Code and they said they don't know. I left some other phone calls and they said contact an attorney, and I did. Nobody has an answer so, here's uh ... a very brief situation. A family came to me in spring ... in the spring and said "We don't have any money, will you buy our house?" I said sure, I handle all the legal work, I took the information to a title ... uh company everything is done. However, where my problem lies is that they cannot afford to move until I give them the cash for their house. No one will give them a place to go until I give them cash for their house. As soon I give them cash for their house, I am responsible, I need to bring their house up to code within 30 days. It's going to take them longer than 30 days to move. I have to insure the house, I can't even let them stay there for free because I'm responsible for the house if I own it. I'm responsible for the code violations, I'm responsible for the insurance, I'm responsible with everything that goes on with that structure even though they live there for free, I just own it and would upkeep it at that time. So, I'm asking for anywhere I could go, something we could change, or an exception to the 30 days so we can ... I can pay them. I can own the house and not get an inspection that house is not livable for a rat yet along people. I won't even go into this house to buy it. I ... I looked at it from the street, we settled on a deal, they said "Nick, we just want to leave all of our stuff in there", I said "Don't worry about it we will freeze it over the winter, we'll throw it in a dumpster in the spring and let's handle it that way." There's um ... to say it's dilapidated is ... is nothing um ... I can't find a place for them to go uh ... I ... I've tried, I've called to the landlords, we've looked at buildings. They flat out can't move till I pay them. So, no one can tell me where I can get an extension, where I can file for an extension or anything to do with that. So, that's a problem that I have and if anybody could get back with me and let me know what we can do help them I ... I'll gladly pay them, just give me an extension to get the house ready to go. And then building code said "Well, do what everyone else does, let us go in there and write you a list of violations" well the problem with that is one, I ... there ... a human could not walk in this house. I would not let building code go in there, there's bugs, there's feces, there's ... there's all these things that no human wants to go into. Not only that, after building code was in there, I have 30 days to fix everything before I get fined again or ... or fine the first time and then we ... we can go on from there, but it starts a legal path which puts me on a time dead line. So, um ... if I could get some answers, get these people out of there, get a good home for them, and then uh ... a little bit of time to get this house remodeled and it'll look just as great as my other ones. Thank you.

PRESIDENT PRO TEM MARIOL: Thank you sir, our Clerk uh ... of Council indicated that she might be able to give you uh ... some guidance there. So, if you could stick around after Council. Thank you. Next up we have Daniel Gates. Daniel, if you could come to the podium and give your name and address please.

DANIEL GATES: My names Dan ... My names Daniel Gates, I live in the United States Republic. Now, Rome was a great nation, do you know why Rome was a great nation? One thing they had better than anything else in the world, roads. I'm glad you guys came and picked up the uh ... water cover valves or if you guys even did, somebody else may have, I don't know, but there are still holes in the road. It's been about a month now almost three weeks, whatever. Which leads me to the uh ... other thing, I'm a very religious man um ... and you know you Mr. Mariol you ... you gloated about all of the great things you've spent our money on, in Satanism ... you can do good things for people as long as it benefits yourself. I'm not saying you're a Satanist, I'm just saying, food for thought. Which leads me to uh ... a quote from Marcellis or Marcus Aurelius "Pleasure, when they go

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beyond a certain limits, are but punishments.” That’s the Hall of Fame for all of us because you know it was supposed to be something pleasurable for us, but you guys are making it into something that none of us will ever even be able to afford. It won’t be a pleasure, we’ll be working to continue to support you guys, spending our money on bad investments, not fixing the roads, only fixing the roads that you want to fix that are in your pretty little areas that you want to paint up to be something that they’re not. Which leads me to my next quote. It’s by someone unknown, if someone knows that would be great to get back to me on “All men make mistakes but a good man yields when he knows his course is wrong and repairs the evil. The only crime is pride.” You guys pride yourself on the things you spend the money on but, it’s not making anything any better. (*Inaudible*)

PRESIDENT PRO TEM MARIOL: Thank you. Moving on to the next speaker. We have Eric Resnick. Eric, if you could come to the um ... podium and give your name and address, please.

ERIC RESNICK: Eric Resnick, 1828 Grace Avenue Northeast. Madam President or ... um ... Madam President is not here. Leader and Members when I was a school board member, we had a high school teacher who had sexually inappropriate relations with students. Kelli would remember, she wrote about it. Um ... so I’m not breaking any new ground here, it’s been wildly reported, but when the teacher appeared in court, the court room was not packed with teachers there for moral support. To be sure the Canton Professional Educators Association fulfilled their obligation to the teachers due process rights but the culture of the teachers union, and of the school district is healthy. Those value those who live up to a high degree of professionalism and reject those who don’t. Bad actors, even a few, make everyone look bad and sends the wrong signal about what the organizational expectations are. If a third of the teaching staff would have been in the court room showing solidarity with the offender, Board Members would have been all over the Superintendent wanting to know what’s wrong with the districts culture. And the Superintendent would’ve been on the phone with the union president wanting to know why the betrayal. It was eye opening for me when I was shown the video of the court appearance of Officers Camden Burch and Beau Schoenegge. There they were, about a third of the police force, in uniform supporting officers who though they have not yet been found guilty, everybody has seen the video. It’s going to be up ... it’s going to be up to others to ask whether or not they were on the clock. To support my point, it doesn’t matter, there they were. I was told, though I don’t know if it’s true, that the Chief was there too. I hope not. The message this sends to the public is clear, the message this sends to the police force at large is also clear. And the message is that this is a brotherhood that values omertha over professionalism. Even when it’s knowingly supporting the most pernicious acts and actors. The fact that nobody seems to be bothered by that fact is also troubling. It’s the subtext in my messages for the last many months has been that the culture of this community starts right here in this room. The problems are increasingly hard to hide and I’m asking again, what are you going to do about it? Thank you.

PRESIDENT PRO TEM MARIOL: Thank you. (*Applause*) Our next speaker is Ahmed Cheema. Ahmed, if you could come to the uh ... podium and give your name and address please.

AHMED CHEEMA: Ahmed Cheema, 5155 Foxchase Avenue Northwest, Canton, Ohio. Respected Council and all those in attendance As-salamu alaykum, peace be with you. You’ve heard from dozens and dozens and you hear from dozens and dozens of speakers every week. Whether it’s about police violence, affordable housing, or the expanding atrocities by the State of Israel. We the citizens try to bring up our concerns to you. We share the information that is vital if you want to do justice to this position that you hold. Israel’s aggressions spreading in the Middle East, draining resources that are badly needed right here. The need for police reform in Canton PD, investing in lifting up the oppressed and making life better for people in Canton. We stand here and ask and ask while the body counts keep going up, as do the iniquities and disparities. Yes, we told you so. The city’s resources are being poured into a project that promises future economic growth but what about the people that live here right now? Families struggling to put ... put food on the table, kids without health care.

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Neighborhoods ravaged by drugs and crime. The Hall of Fame Village water park might bring in tourist and revenue for the company that owns it. It won't fill empty stomach or broken lives. I believe the city has loaned well over 8 million dollars to the Hall of Fame village so far. While there's homelessness, drug abuse, mental health issues, no availability for affordable rental properties is an issues, road infrastructure, industry repair these are recurring topics I keep hearing over and over again. Please priority the needs of our residence instead of throwing money out at these risky developments and ... and you know, chasing glitzy dreams and start building a community where everyone has a chance to thrive. I ... I do not tell oppressed people how to resist their oppression or who their allies should be. I do hope that you will be an ally to the oppressed. I'll leave you with the words of Edmund Burke, "Nobody made a bigger mistake than he who did nothing because he could do only a little." (*Applause*)

PRESIDENT PRO TEM MARIOL: Thank you. Last up we have Ronald Simmons. Ronald, If you could give your name and address please.

RONALD SIMMONS: Yes, my name is Ronald Simmons, 4619 Greenmeadow Avenue. I'm here tonight because you know I um ... with the love that I have in my heart for the panel, for each and every man and women that I ever meet. I always have love in my heart for them, so I expect to be treated the same and I thought last week, the last time that I spoke with you guys, to the Mayor and this staff and overall, that I was real cool. When I made the statement about Canton, Ohio. I ... you know just to trigger my mind of when I was in a meeting and that was a desire to always be in a position where I maybe could buy a place downtown. And when the opportunity came, that did arise that ... that building sitting down there which has been sitting down there forever. It was a total disaster, they had no desire to invest in Canton, downtown. That kind of crushed my world and I never brought it up before but it was brought up and that ... it ... it bothers me because I always wanted to own something downtown. But, I understand it's not profitable and right now I don't see it within my time. Hopefully it will, that's my prayer. But at ... on the other note you know we've been more than fair with the Tyson's. We're a family of integrity, I think that we've shown that, we've asked for whatever we could get, without a problem and we have not had a problem and I respect that from you guys. But, I'm asking now. This is not the time to tell me that we got justice. What we got was a traffic stop and that's not fair. When you see a man put his foot across a man's legs and put his foot on him, like you hog tied him, what is it? What ... I ... I ... you know the mind boggling thing for me is when I see it, in my brain, because I don't sit and watch that video, that is not a misdemeanor. To me right there, that's murder ... and I understand what's out there. You can go on to 3 years, max, and we're not the ones that's out here pushing a problem but I think that's what needs to happen. We're not looking for these guys to be back to work in Canton, Ohio as police officers. That would not enhance or do anything for the city overall. You guys need to take that into consideration because whoever that was that looked at it and gave them that sentence of whatever it ... well they haven't been sentenced as of yet and I probably ... they're probably back to work, which I don't even want to know but, I think that it should be taken under consideration where we are as a family and I don't think it's being tried fair. We've done our part, we've never caused a problem. Do your part and give them what they deserve. You can not hog tie my family and walk away. Thank you and be blessed.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MARIOL: Thank you, that concludes Public Speaks. We'll move on to Miscellaneous Business. Is there any Miscellaneous Business? Okay, no Miscellaneous Business, Leader Babcock.

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

MEMBER GIAVASIS: Second.

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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: Motion carries. Meeting is adjourned, thank you. (*Gavel falls*)

ADJOURNMENT TIME: 7:48 PM

ATTEST:
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
JOHN MARIOL
PRESIDENT PRO TEM