

MINUTES OF THE MEETING NOVEMBER 25, 2024

PRESIDENT BATES AYLWARD: Good evening ladies and gentlemen and welcome to Canton City Council. If everyone would please turn your cell phones to vibrate, we would appreciate it. With a quorum being present, the Chair calls this meeting to order. Roll call vote, please, Madam Clerk.

ROLL CALL TAKEN BY CLERK WOOD:

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

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

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

EXCUSING MEMBERS

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

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

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to excuse Member Scaglione and Member Morris from this evening's meeting. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Member Scaglione and Member Morris are excused from this evening's meeting. Tonight's invocation will be given by Council Member-at-Large, Louis Giavasis. And if you'll please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 25, 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-at-Large, Louis Giavasis. The Pledge of Allegiance was led by President Bates Aylward.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER MARIOL: Madam President, I move we suspend Rule 22A to add second readings Ordinances #33 through 36 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to add Ordinances 33 through 36 to this evening's agenda. Are there any remarks?... Hearing none, roll call vote, please.

MINUTES OF THE MEETING NOVEMBER 25, 2024

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. The motion carries and Ordinances 33 through 36 are now a legal part of your agenda. Pursuant to Rule 12B, we will be moving public speaks to right before Miscellaneous Business, also this evening.

PUBLIC HEARINGS

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

OLD BUSINESS

PRESIDENT BATES AYLWARD: We are now under Old Business. And we do have some Old Business that I believe... uh...Leader Mariol, you would like to address.

MEMBER MARIOL: Yes, I just wanted to point out uh... last week we heard... uh from a speaker about Probate Court. And I just wanted to point out that Proba... Probate Court is not part of Canton government. Uh... the Judge that presides over that is an Elected Official. And so this body does not have any uh... authority or tie with Probate Courts. I just want to make that clear. Thank you.

INFORMAL RESOLUTIONS

PRESIDENT BATES AYLWARD: Thank you, very much. We are now under Informal Resolutions and we have four for this evening. Madam Clerk, will you please begin with Informal Resolution #1, by title.

1. AMEND RULE #21 A AND C, SUBMISSION OF AGENDA ITEMS, OF RULES OF PROCEDURE FOR COUNCIL OF THE CITY OF CANTON, OHIO, 2024 - 2025 TERM. – ADOPTED

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Informal Resolution #1, by roll call vote.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #1 by roll call vote. Are there any remarks? ...Hearing none, roll call vote please, Madam Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Informal Resolution #1 is adopted. Informal Resolution #2, please, Madam Clerk.

2. COUNCIL-AS-A-WHOLE: AUTH CITY TO SUPPORT OHIO COMMISSION FOR THE UNITED STATES SEMIQUINCENTENNIAL (AMERICA 250-OH). – ADOPTED

PRESIDENT BATES AYLWARD: Thank you, Leader Mariol.

MINUTES OF THE MEETING NOVEMBER 25, 2024

MEMBER MARIOL: Madam President, I move we adopt Informal Resolution #2.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #2. Are there any remarks? ...Hearing none, by voice vote, all those in favor, signify by saying aye. All those opposed, no.

NO REMARKS

RESOLUTION #2 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it, and the motion carries and Informal Resolution #2 is adopted. Informal Resolution #3, please.

3. MAJORITY LEADER MARIOL: AUTH PURCH OF MID-SIZED SUV (FORD EXPLORER) NOT TO EXCEED AMT OF \$49,837.00 FOR FIRE DEPT. – ADOPTED

PRESIDENT BATES AYLWARD: Thank you, Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Informal Resolution #3.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #3. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #3 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it, and the motion carries and Informal Resolution #3 is adopted. Informal Resolution #4, please.

4. MAJORITY LEADER MARIOL: AUTH PURCH OF SMALL-SIZED SUV (FORD ESCAPE) NOT TO EXCEED TO AMT OF \$31,095.00 FOR FIRE DEPT. – ADOPTED

PRESIDENT BATES AYLWARD: Thank you, Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordin... Informal... Resolution #4.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Informal Resolution #4. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #4 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT BATES AYLWARD: The ayes have it, the motion carries and Informal... Resolution #4 has been adopted.

MINUTES OF THE MEETING NOVEMBER 25, 2024**COMMUNICATIONS**

PRESIDENT BATES AYLWARD: We are now under Communications. Let the journal know 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 25, 2024.

5. ADVISE COUNCIL THAT ALL CLASS C AND D RETAIL PERMITS TO SELL ALCOHOLIC BEVERAGES EXPIRE ON 2/1/25; OBJECTIONS MUST BE FILED NO LATER THAN 1/2/25. - COUNCIL CLERK WOOD
6. AUTH MAYOR OR SAF DIR. TO ENTER JOB CREATION, RETENTION AND NET PROFITS TAX INCENTIVE AGRMT WITH SCHULMAN, ROTH AND ASSOCIATES CO., LPA; EMERGENCY. - ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
7. REQ LEG AUTH ADOPTION OF TEMPORARY BUDGET PRIOR TO END OF 2024; EMERGENCY. - FINANCE DIRECTOR CROUSE
8. LTR ADVISING COUNCIL OF RE-APPT OF MR J.R. RINALDI TO CANTON PARK COMMISSION 1/1/25 THRU 10/31/27. - MAYOR SHERER
9. REQ AUTH OF RE-APPT OF MR. DONN ANGUS AS PUBLIC APPOINTEE TO STARK COUNTY REGIONAL PLANNING COMMISSION COMMENCING 1/1/25 THRU 10/31/26. - MAYOR SHERER
10. REQ RE-APPT OF MR TIM MILLER TO ZONING BOARD OF APPEALS 1/1/25 THRU 10/31/27. - MAYOR SHERER
10. REQ RE-APPT OF GEORGIA PAXOS TO CANTON ARCHITECTURAL REVIEW BOARD 1/1/25 THRU 10/31/28. - MAYOR SHERER
10. REQ RE-APPT OF DARREN ELLIOTT AND JON KUHNASH TO CANTON CONSTRUCTION BOARD 1/1/25 THRU 10/31/27. - MAYOR SHERER
13. REQ RE-APPT OF AUDREY LAVIN TO PLANNING COMMISSION 1/1/25 THRU 10/31/30. - MAYOR SHERER
14. REQ APPT OF MR. TED JOHNSON TO CANTON TREE COMMISSION 10/2/24 THRU 10/31/25. - MAYOR SHERER
15. LTR ADVISING COUNCIL OF APPTS FOR BOARD OF TRUSTESS OF CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC). - MAYOR SHERER

MINUTES OF THE MEETING NOVEMBER 25, 2024

16. LTR ADVISING COUNCIL OF APPTS FOR BOARD OF TRUSTESS OF CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC). - MAYOR SHERER
17. AUTH MAYOR OR SAF DIR. TO ENTER AGMT TO ACCEPT \$85,350.00 GRANT FUNDS FR SUMMIT COUNTY SHERIFF'S OFFICE; EMERGENCY (2 PATROL VEHICLES). - SAFETY DIRECTOR PERRY
18. AUTH PROF SERV AGMT WITH MR. CHARLES CORCORAN, ARCHITECT, TO SERV AS CITY OF CANTON CHIEF BUILDING OFFICIAL; EMERGENCY. - SAFETY DIRECTOR PERRY
19. REQ INF RES FOR PURCH OF MID-SIZED SUV (FORD EXPLORER) NOT TO EXCEED AMT OF \$49,837.00; PURCH OF SMALL-SIZED SUV (FORD ESCAPE) NOT TO EXCEED TO AMT OF \$31,095.00. - SAFETY DIRECTOR PERRY
20. REQ LEG FOR CLEVELAND AVE NW RESURFACING PROJECT - GP 1083; EMERGENCY (FR 10TH ST NW TO 55TH ST NW). - SERVICE DIRECTOR HIGHMAN
21. EST PERSONNEL GUIDELINE FOR RECRUITING, HIRING, AND RETAINING NON-BARGAINING PERSONNEL, AMEND O# 68/2019, 100/2010; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
22. REQ LEG FOR 2025 AUTH TO APPLY FOR VARIOUS PROJECT FUNDS; EMERGENCY. - SERVICE DIRECTOR HIGHMAN. - SAFETY DIRECTOR PERRY
23. REQ LEG TO RATIFY TENTATIVE AGMT BETWEEN CITY AND AFSCME LOCAL 2937; EST BARGAINING UNIT CLASSIFICATION PLAN FOR I.T. DEPT; EMERGENCY. - SERVICE DIRECTOR HIGHMAN. - SAFETY DIRECTOR PERRY
24. REQ LEG FOR 2025 SUPPLY LIST; EMERGENCY. - SERVICE DIRECTOR HIGHMAN. - SAFETY DIRECTOR PERRY
25. COMPARATIVE RPT OF CASH RECEIPTS AS OF 10/31/2024. - TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT BATES AYLWARD: We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #26.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCE #26 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#26. (1ST RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICALS AND PUBLIC INSTITUTIONS COPIES OF THE OCTOBER 2024 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING NOVEMBER 25, 2024

Referred to Judiciary Committee

O#27. (1ST RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee

O#28. (1ST RDG) AN ORDINANCE AUTHORIZING A WAGE INCREASE OF 4% FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY AS OF JANUARY 1, 2025; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

O#29. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 10/2024, AS AMENDED TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE HUMAN RESOURCES DEPARTMENT'S MANAGEMENT AND NON-BARGAINING PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

O#30. (1ST RDG) **ADOPTED AS ORDINANCE NO. 237/2024** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 2 WITH ARCADIS US, INC., IN AN AMOUNT NOT TO EXCEED \$684,339.00 FOR ONGOING DESIGN OF THE WEST TUSCARAWAS STREET SAFETY PROJECT PHASE 1, G.P. 1165; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#31. (1ST RDG) **ADOPTED AS ORDINANCE NO. 238/2024** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 61/2024; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#32. (1ST RDG) **ADOPTED AS ORDINANCE NO. 239/2024** AN ORDINANCE APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND AFSCME LOCAL 3449 AND OHIO COUNCIL 8; AMENDING ORDINANCE NO. 9/2024, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR INFORMATION TECHNOLOGY DEPARTMENT'S BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

MINUTES OF THE MEETING NOVEMBER 25, 2024

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. At this time the Chair would declare an in-house recess for the Finance and Personnel Committees to meet in regard to Ordinances 30 through 32 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:14 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO MEET IN REGARDS TO O#30 THROUGH O#32; RECONVENED AT 7:19 PM)

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

MEMBER MARIOL: Madam President, I move we suspend Rule 22A to place Ordinances 30 through 32 back on this evenings agenda.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to place Ordinances 30 through 32 back on this evenings agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinances 30 through 32 are now a legal part of your agenda. Leader.

MEMBER MARIOL: Madam President, I move we suspend Statutory Rules on Ordinances #30 through 32.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to suspend the Statutory Rules on Ordinances 30 through 32. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

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

MEMBER MARIOL: Madam President, I move we adopt Ordinance #30.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you adopt Ordinance #30. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

MINUTES OF THE MEETING NOVEMBER 25, 2024

CLERK WOOD: Ten yeas, Madam President.

#30 ADOPTED AS ORDINANCE NO. 237/2024

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. The motion carries and Ordinance #30 has been adopted. Ordinance #31, please. Oh, I'm sorry...Leader. I'm reading the wrong thing.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #31.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you adopt Ordinance #31. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

#31 ADOPTED AS ORDINANCE NO. 238/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #31 has been adopted. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #32.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #32. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

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

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

#32 ADOPTED AS ORDINANCE NO. 239/2024

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #32 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT BATES AYLWARD: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #33.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #33 THROUGH #36 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#33. (2ND 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;

MINUTES OF THE MEETING NOVEMBER 25, 2024

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

PUB HRG 10/2/24 @ 7:00 PM

- O#34. (2ND 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)
- O#35. (2ND 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 \$350,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#36. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN ESTIMATED AMOUNT OF \$200,000.00 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

CLERK WOOD: Madam President.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT BATES AYLWARD: Thank you. We are now under Ordinances and Formal Resolutions for their Third, Final Reading and vote. Madam Clerk, please read Ordinance #37.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ THE FOLLOWING ORDINANCE #37 FOR IT'S THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#37. (3RD RDG) **ADOPTED AS ORDINANCE NO. 240/2024** 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 \$278,100.00 FOR THE SANITARY SEWER ASSET MANAGEMENT PLAN UPDATE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT BATES AYLWARD: Thank you. Leader Mariol.

MINUTES OF THE MEETING NOVEMBER 25, 2024

MEMBER MARIOL: Madam President, I move we adopt Ordinance #37.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to adopt Ordinance #37. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

#37 ADOPTED AS ORDINANCE NO. 240/2024

PRESIDENT BATES AYLWARD: Thank you.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT BATES AYLWARD: We are under the Announcement of Committee Meetings. Our next meeting date is December 2, 2024. Committee Meetings will start at 6:30. Annexation... will somebody call that for Member Morris?

MEMBER COOKS: Annexation will meet December 2nd at 6:30.

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

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

PRESIDENT BATES AYLWARD: Finance and Public Safety & Thoroughfares.

MEMBER GIAVASIS: Madam President, uh... Finance and Public Safety & Thoroughfares will meet same time, same place.

PRESIDENT BATES AYLWARD: Thank you very much.

PUBLIC SPEAKS

PRESIDENT BATES AYLWARD: We are now under Public Speaks, and we have five speakers this evening. Most of you have been here but once again, when you... uh when your name is called please step forward and give us your name and residential address. Our first speaker is Ms. Cassandra White. Ms. White.

CASSANDRA WHITE: Uh... Cassandra White, 4161 Arlington Rd, Uniontown. One year ago today, Zachery called me to come get him, like he always did. He spent the night. The next day about one in the afternoon he knocked on my bathroom door while I was taking a shower. He said "Bye momma I love you." That would be the last words I heard from him. And never got to see his precious face... because one week later he was killed. So on this week of Thanksgiving, I have nothing to be thankful for. Everyone is Christmas shopping and all I can think of is my three beautiful grandchildren... won't have their daddy. Because of this city and Canton Police Department, my holidays will never be the same. My life will never be the same. I'm asked daily, "Why don't you do this, why don't you go somewhere." Well I have severe PTSD so bad that I've confined myself at my house for the past eleven and a half months. I come her on Monday because I have so many people that stand by my side... sorry... and support me and because we hope for police reform. And I thank all of you that

MINUTES OF THE MEETING NOVEMBER 25, 2024

have been there for me in the past year, but since we just passed the ten year anniversary, where Cleveland Police shot and killed Tamir Rice, that doesn't even sound possible. I mean, you still have two officers that were indicted for reckless homicide, still on payroll. So, Canton City Council, you need to get in ears of the people and say, "Listen, you're making our city look bad, and what can we do to make our city a place people want to live and where children are safe." But we know what your priorities are, a 6.7 million dollar building for Sanitation. Justice for every individual that has suffered due to Canton Police and Canton City's incompetence.

PRESIDENT BATES AYLWARD: Thank you, Ms. White. Our next speaker is Ms. Skylark Bruce. Ms. Bruce.

SKYLARK BRUCE: My name is Skylark Bruce and I live at 2216 Boilinger Ave NE. I'll be reading excerpts from Destiny's Stark's Instagram series earlier today, as she says it better that I can. *"A pretrial hearing was held last week for CPD Officers, Camden Burch and Beau Schoenegge's reckless homicide case for the death of Frank Tyson. Burch and Schoenegge's case has been assigned to Judge Kristin Farmer. As previously mentioned, Judge Farmer is married to a lieutenant in the Alliance Police Department. Although Farmer's spousal relationship to a high ranking police officer, does not alone, by law, disqualify her from presiding over a criminal case against other police officers, it may cause some to question her impartiality or the possibility of personal bias. However, Farmer has another connection in this case that could provide further opportunity to question her impartiality and that is her connection to be the victim in this case, Frank Tyson. According to Tyson's case docket, it appears Farmer presided over his case starting in 2015. Weeks before his death in police custody in April of this year, Tyson was released after twenty-four years in prison for crimes he always maintained his innocence of. Tyson's case docket shows years of consistent efforts for redress through... uh... numerous appeals and other motions which were almost exclusively denied. In 2011, he filed a motion to remove Stark County Prosecutor's Office from his case and have a special prosecutor assigned. From 2011 to 2019, Tyson filed several motions of alleging prosecutorial misconduct by Chryssa Hartnett and others of the Stark County Prosecutor Office, all of which were denied. In 2015, his case was transferred to Judge Kristin Farmer who apparently denied all but one of Tyson's motions from 2015 to present, including his 2019 request for a recusal, based on his belief there was a conflict of interest. It's unclear from the docket upon what grounds Tyson had alleged Farmer had a conflict of interest; however, it may relate to Kressa Hartnett, the prosecutor he accused of misconduct, having become a Judge in 2014, alongside Farmer, in the same court. One might argue that Judge Farmer's personal involvement in Tyson's case, who also apparently questioned her impartiality, should be grounds to disqualify her from presiding over Burch and Schoenegge's case in which Tyson is the victim. In addition to Farmer's involvement case, her proximity to law enforcement through spousal connection and the heavy uniformed CPD presence at Burch and Schoenegge's bond hearing earlier this month, will likely cause people to question her impartiality."* And... end quote, I don't think anyone is asking for a judge who is bias in favor of Frank Tyson. It shouldn't be too much to ask that the judge be fair and without obvious bias against him. Thank you.

PRESIDENT BATES AYLWARD: Thank you, Ms. Bruce. Our next speaker is Mr. Daniel Gates. Mr. Gates.

DANIEL GATES: My names Daniel Gates and I live in the United States Constitutiounal Republic.

PRESIDENT BATES AYLWARD: Thanks... thank you.

DANIEL GATES: So my father couldn't be here tonight, but he sent me here with a message. And my heavenly father, He had allowed me to here. Uh... "We are on our path that the Lord has sent us on," is what my father had said today. And Mr. Mariol, you said that Canton City has nothing to do with the Probate Court at all. That was a lie because the lawyer that was assigned the Guardianship Program, when he sent... when he was come

MINUTES OF THE MEETING NOVEMBER 25, 2024

out... to ...give... the notice to vacate order, it was Canton City Police Department he hired and charged my grandmother's account for. So, that was a lie you guys are involved. Absoutely, I have the bills. So, you can shake your head, you can sit there and try and debate me with your gestures, but that's not what you're not allowed to do. By your rules, okay. You're roads are still terrible. The complaints that I have waged about the water cover valves, you still have not put a cone out there. There are holes that people can literally stick their whole leg in. And you guys don't care. We know you don't care, that's why you moved us back. We might as well call us Miscellaneous Business, you never did... move us back, because you guys don't like objection to what you guys are voting on; because you're afraid that it's going to shut it down. Which leads me to my next point. What happened to the Old Business of the new... of the Town Hall Meetings? You guys never came back to that. You guys still scared of what? Us coming at you with the Constitution... and accountibility? If you're afraid of that, then you're guilty of just those things, violators of the Constitution of the United States of America. Mr. Mayor, I'm glad that you can answer questions for investors. People who are looking to build a better a Canton for you... right? And I'm glad that you're willing to help the people that are involved in that as well, but you do not listen to the common folk. You do not listen to "We The People." Jason Reese over here, you... you still have not been held accountable for the funds that you automatically approve without the approval of City Council. So, I mean that's just going to show you how well our system is working for us in Canton, Ohio. That's part of the problem... you guys. We've come to the table with you guys here, not actual at a table where we can actually discuss longer than three minutes, about the problems of Canton. So, we try to smash it in there, but you guys don't care. We've seen it, you guys roll your eyes, you play on yor phones. Seems like our efforts are futile, but we're going to keep on trying. You know why, because we have faith. (*Inaudible*).

PRESIDENT BATES AYLWARD: Thank you, Mr. Gates. Our next speaker is Mr. Justin Nicely. Mr.Nicely.

JUSTIN NICELY: How y'all doing tonight? My name is Justin Nicely. Former resident of uh... Canton. I now reside in Massillon. Uh... I've been coming to tell you guys, many times, that y'all had a problem. Uh... you guys don't us seriously. We don't have any type of relevance now. I know I don't. I know that I'm indigent, I'm impoverished and part of the 70% of the constituents that you guys are suppose to be representing. And we don't have a voice. And you guys are constantly talking about, "Oh y'all don't have any involvement with the county agencies." We... you sure the hell do. And I'm going to explain to you tonight on how you guys as a city affect us when we try to go to our county agencies. We can't go to ODJFS and file grievances because of you guys. We can't go to child protective services and file grievances because of your city. We can't go to any of our departments anywhere because as soon as somebody makes a phone call.. it's all it takes. We're getting threatened, bullied, assaulted, intimidated... charged. And for what... because we want to file a grievance? I gave you guys a packet... okay... I want y'all to follow along with me. Your first page there is a case that's completely unprecedented. So you know who you're dealing with, I'm a single father of four children. One of which I'm a victim of paternity fraud, that I'm fighting all the way up to the state level. All the way up to a DC level to change and get revisions to HB14, as well of the three different districts and three different uh... 48, 49, and 50 that I'm in touch with state legislation. To try and get some type of overhaul to get father's back into the home. How come you guys don't want to help me on this? What's it going to take for you guys to come to the table. All I'm asking for, for the past two... three years, is for some accountibility. Now you guys could've had some change. Frank Tyson would still be alive if he would've came and talk to me. You understand? Zachery Fornash would still be alive if you guys would sit down and have a dialog with me for real, and have a talk with me. I've done an investigation and in all of my blood, sweat, and tears for a three and a half year investigation on what the problems are with this city and our county and what's effecting us a village. And you guys won't come to the table. And every time I try... this is what I get. Right there, your second page. That's October 23rd. I tried to come to Andrea Perry, but not one, but two different counselors, one for adults and one for on behalf of children. You know what I get? She releases Officer Casto for sicking one dog on one man. How come she's

MINUTES OF THE MEETING NOVEMBER 25, 2024

not being released for sicking seven dogs on me that day? Here's the list of the names of the officers and... persecuted us, threw us out of the building and none of the footage is available. Then I tried to prevent the problem and tell her, "Look we are trying to go to these county agencies, your city officers over her don't know the damn laws." You got (*inaudible*) 9114. which also consides with Ohio Administrative Code 5101-9-11 which is our greivance procedure. I pro... hope to God that you read number six because Officer Watkins is guilty of intervening with that. All because John Romanowski called him and said... I'm... uh... I got the phone call. There was no... there's no disturbance, people... there's no disturbance. There's no disturbance. Footage isn't available that we asked for. We ask for help, you guys don't listen to us. We try to file grievances the city officers beat the shit out us, and threaten us and everything else. When are ya'll going to come to the table and change it.

PRESIDENT BATES AYLWARD: Thank you Mr. Nicely. Our next speaker is Ms. Brandi Smith. Ms. Smith.

BRANDI SMITH: Uh... yes my name is Brani Smith, I reside in Canton, Ohio. I have been trying to desperately get help for over a year now, as I was robbed last October of '23 and the police have denied me help. I have over three hundred pieces of video footage. I believe I'm being gang stalked. They keep coming back over and over again, still to this day. I've reached out to Andrea Perry many of times via email and phone... Gabbard too. They refuse to email or call me back. I can't get any help from anybody. I'm in fear for my life and my children's lives. I have video footage of the this. I can't get anybody to help me. I believe I'm being gang stalked. And I'm in fear for life because nobody will help me. And this is real. I've been threatened by the police saying this is what we're going to do to you for trying to get a call and get help. Uh... I believe after I called and asked for help and asked them why they can't see this because my cameras connected to them... uh... that they are turning off my cameras, so, I don't have video footage or evidence of this because, they don't never come back on and I have to hard reset my cameras. The police talked to me like a dog and try and tell me I'm crazy and paranoid. I can't get any help at all and I'm scared and in fear for my life.

PRESIDENT BATES AYLWARD: Thank you, Ms. Smith. And that concludes Public Speaks. Thank you to our speakers.

MISCELLANEOUS BUSINESS

PRESIDENT BATES AYLWARD: Uh... before we proceed to Miscellaneous Business, I have a correction. Apparently I have the wrong committees. And so our committees next week will be Judiciary and Personnel... at 6:45. So, I had the wrong information and I apologize. So 6:45, Judiciary and Personnel will meet at that time. And before I call on others at the beginning of this Miscellaneous Business, um...I... would like to call for a momet of silence for uh... Kirk Schuring. Obviously, uh... Senator and Representative Schuring was from this county and representated his constituents for over thirty years I believe. And I'll entertain uh... other discussions after that, but if we could first have a moment of silence for... Mr. Schuring... please.

Moment of silence

PRESIDENT BATES AYLWARD: Thank you. Would anyone else like to address anything in Miscellaneous Business?

MEMBER FISHER: Madam President...

SIERRA MASON: (*Yelling*) Can we have a moment of silence for Frank Tyson... Zach Fornash or anyone...?

PRESIDENT BATES AYLWARD: You are out of order. Please be quiet, thank you. Go ahead.

MINUTES OF THE MEETING NOVEMBER 25, 2024

MEMBER FISHER: Well, Madam President I wanted to give a... shout out to uh... Service Director John Highman. Um... Power Clean Future Ohio has named him as one of three uh... recipients of the Clean Energy Staff Champion Honoree Award. And uh... I think he's very deserving of it... of uh... Leader Mariol and I, you know... we've... we've been working on a green initiative for a while. And if it wasn't for uh... Service Director Highman, probably a lot of it wouldn't get done because he deals with these guys all day, everyday. Whereas, you know we don't necessarily have that kind of time. So, I just wanted to give a shout out to uh... Service Director Highman for a job well done.

PRESIDENT BATES AYLWARD: Thank you very much. And congratulations... congratulations John. (*Applause*) Is there any other Miscellaneous Business? Yes, Representative Sacco.

MEMBER SACCO: Yea, I just to thank uh... Faith Barbado from the Akron Food Bank... Akron/Canton Food Bank for coming in and telling us the history and also the need in the city of Canton. And I also want to reiterate that on Mondays, Wednesdays, and Fridays the food pantry is open from 9 to 1 for anyone who needs food... uh... just go in there and they'll help you out. So, thank you very much.

PRESIDENT BATES AYLWARD: That's a great resource. Thank you very much, Member Sacco. Does anybody else have anything for Miscellaneous Business. And I keep hearing somebody talking and they need to please be quite so we can hear. Okay. Go ahead.

MEMBER MARIOL: Madam President, I just wanted to say that... it's amazing how much uh... Kirk Schuring did for this city and for this area. And... uh... the impact that he had was immeasurable. And so, it's... it's a huge loss for this community, but we're better off for having him. Thank you.

PRESIDENT BATES AYLWARD: Any one else like to be heard in Miscellaneous Business? Okay, thank you all very much. Leader Mariol.

MEMBER MARIOL: Madam President, I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Madam President.

PRESIDENT BATES AYLWARD: (*Gavel falls*) We are adjourned... thank you.

ADJOURNMENT TIME: 7:43 PM

ATTEST:

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

KRISTEN BATES AYLWARD
PRESIDENT