

MINUTES OF THE MEETING JANUARY 13, 2025

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 of Canton City Council to order. Roll call, please, Madam Clerk.

ROLL CALL TAKEN BY CLERK WOOD:

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

TEN COUNCIL MEMBERS PRESENT (MEMBERS HAWK AND GIAVASIS ABSENT)

CLERK WOOD: That's ten present, two absent, Madam President.

EXCUSING MEMBERS

PRESIDENT BATES AYLWARD: Thank you very much, Leader Mariol.

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

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to excuse Member Hawk and Member Giavasis 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 Members Hawk and Member Giavasis are excused from this evening's meeting. I want to say that um ... many of you have visited um ... Member Hawk, he's hospitalized and we are all um ... hoping and praying for his recovery, so. Okay, tonight's invocation will be given by Ward 5 Council Member, Robert Fisher. If you'll please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on January 13, 2025 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 5 Council Member, Robert Fisher. The Pledge of Allegiance was led by President Bates Aylward.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT BATES AYLWARD: And thank you, Member Fisher. We are now under Agenda Corrections and Changes. Leader Mariol.

MEMBER MARIOL: Madam President ... Madam President, I move we suspend Rule 22A to add Second Readings Ordinances #15 through #27 to this evening's agenda.

MEMBER CRYSTAL SMITH: Second.

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PRESIDENT BATES AYLWARD: Thank you. It's been moved and seconded to suspend Rule 22A to add Second Readings to Ordinances 15 through 27 to this evening's agenda. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Madam President. (MEMBER BABCOCK STEPPED OUT)

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinances 15 through 27 are a legal part of your agenda.

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, Member Mariol, do we have any Old Business for this evening (*inaudible*).

MEMBER MARIOL: I do not.

PUBLIC SPEAKS

PRESIDENT BATES AYLWARD: Okay. Pursuant to Rule 12(b), we will move Public Speaks to right before Miscellaneous Business.

INFORMAL RESOLUTIONS

PRESIDENT BATES AYLWARD: We are now under Informal Resolutions and we have none for this evening.

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 JANUARY 13, 2025.

1. COPY OF ANNEXATION PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS FOR 2904 MARKET AVE N - 2024 ANNEXATION. - AGENT FOR PETITIONER MATT BAILEY
2. REQ NEW D1, D3 LIQUOR PERMIT FOR EL SABOR CENTRO AMERICANO LLC @ 1800 NAVARREE RD SW (WARD 5). - LIQUOR CONTROL DIV
3. REQ DELINQUENT BOARD UP/CLEAN UP/DEMOLITION CHARGES FOR 2024; EMERGENCY (OCT., NOV., DEC.)- SAFETY DIRECTOR PERRY

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4. REQ RE-ESTABLISHMENT OF STOREFRONT REINVESTMENT PROG ("SRP"); EMERGENCY. - SAFETY DIRECTOR PERRY
5. REQ RE-ESTABLISHMENT OF PUBLIC REALM REINVESTMENT PROGRAM (PRRP); EMERGENCY. - SAFETY DIRECTOR PERRY
6. REQ DOWNTOWN POLICE SUBSTATION; EMERGENCY (SUPP APPROP TO 1001 102001 - POLICE ADMIN - OTHER). - SAFETY DIRECTOR PERRY
7. REQ OPPOSITION TO AT&T'S PROPOSED TARIFF CHANGE; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
8. RPT OF PARKING METER REVENUE FOR 12/31/24. - TREASURER PEREZ
9. RPTS OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 12/31/24. - TREASURER PEREZ
10. COMPARATIVE RPT OF CASH RECEIPTS AS OF 12/31/24. – TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT BATES AYLWARD: We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #11.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #11 THROUGH #14 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#14 ADOPTED):

- O#11. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT AND EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE HARTER HEIGHTS AREA WATER MAIN REPLACEMENT AND ROADWAY IMPROVEMENTS PROJECT - PHASE I; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE CITY TO RECEIVE GRANT FUNDS IN THE AMOUNT OF \$750,000 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$750,000 FOR THE PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5254 HARTER HTS AREA WATER MAIN REPLCMT & RDWY IMPRV - PHASE I FUND; AMENDING APPROPRIATION ORDINANCE NO. 247/2024; AND DECLARING THE SAME TO BE AN EMERGENCY(\$1,500,000.00 FR UNAPPROP BAL OF 5254 HARTER HTS. AREA WATER MAIN REPLCMT & RDWY IMPRV - PHASE 1 FUND TO 5254 207083 HARTER HTS. AREA WATER MAIN RPLCMT & RDWY IMPROV - PH PERRY HTS. WTR. PH 2 WATER MAIN RPLCMT & RDWY IMPRV - PHASE 1 -

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OTHER; \$2,035,000.00 FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207083 HARTER HTS. WTR. MAIN RPLCMT & RDWY IMPRV - PHASE 1 - OTHER).

Referred to Finance Committee

O#12. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO PROFESSIONAL SERVICES CONTRACTS FOR DESIGN AND OVERSIGHT OF THE PROJECTS IDENTIFIED ON EXHIBIT A; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACTS FOR SAID PROJECTS; AND ENTER INTO ONE OR MORE CONTRACTS UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES AND CONTRACTS RELATED TO THESE PROJECTS; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR RELATED CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AMENDING APPROPRIATION ORDINANCE NO. 247/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$650,000.00 APPROPRIATION TRANSFER FR 5413 202010 ENGINEER - DAILY OPERATIONS TO 5413 202089 ORCHARD VIEW AVE SE SANITARY SEWER EXTENSION GP 1467 - OTHER).

Referred to Finance Committee

O#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY TWO MORAL OBLIGATIONS IN THE AMOUNTS OF \$10,645.00 TO UNITED STATES GEOLOGICAL SURVEY FOR THE 2024 & 2025 MONITORING PERIOD FOR THE MIDDLE BRANCH OF THE NIMISHILLEN CREEK STREAMGAGE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#14. (1ST RDG) **ADOPTED AS ORDINANCE NO. 3/2025** AN ORDINANCE AUTHORIZING SUPPORTING THE OHIO MUNICIPAL LEAGUE'S CHALLENGE OF AT&T'S TARIFF APPLICATION AT THE PUBLIC UTILITIES COMMISSION OF OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental & Public Utilities Committee

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you. At this time the Chair would declare an in-house recess for the Environmental & Public Utilities Committee to meet in regard to Ordinance #14 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:07 PM FOR THE ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE TO MEET IN REGARDS TO O#14; RECONVENED AT 7:10 PM)

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

MEMBER MARIOL: Madam President ... Madam President, I sus ... I move we suspend Rule 22A to place Ordinance #14 back on this evenings agenda.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded to suspend Rule 22A to place Ordinance #14 back on this evening's 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 Ordinance #14 is a legal part of your agenda. Leader.

MEMBER MARIOL: Madam President, I move we suspend the Statutory Rules on Ordinance #14.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to suspend the Statutory Rules on Ordinance #14. 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, Madam Clerk. The motion carries. You've heard the three readings. Leader.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #14.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you adopt Ordinance #14. 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.

#14 ADOPTED AS ORDINANCE NO. 3/2025

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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PRESIDENT BATES AYLWARD: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #15.

NOTE: PRESIDENT BATES AYLWARD CALLED UPON CLERK WOOD TO READ ORDINANCES #15 THROUGH #27 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#25 THROUGH O#27 ADOPTED):

- O#15. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 6107 AND 6108; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON FOR ALL PEOPLE @ 301 – 305 BROWN AVE NW, WARD 1)
- O#16. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 1600, 1602 AND PART OF VACATED ROAD; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON FOR ALL PEOPLE @ 1002 3RD ST NW, WARD 1)
- O#17. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 4498, 4499 AND 4500; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON FOR ALL PEOPLE @ 400 BLOCK OF NEWTON AVE NW, WARD 1)
- O#18. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 1587 AND 1588; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON FOR ALL PEOPLE @ 219 NEWTON AVE NW, WARD 1)
- O#19. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOT 796 AND PART OF OUTLOT 795; AND DECLARING THE SAME TO BE AN EMERGENCY (TRISHA FERRUCCIO @ 3000 ATLANTIC BLVD NE, WARD 6)
- O#20. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 29497 AND 29498; AND DECLARING THE SAME TO BE AN EMERGENCY (JOHN & REBEKAH EISENBARTH @ 702 22ND ST NE, WARD 9)
- O#21. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 1898 AND 1899; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY @ 607 14TH ST SE, WARD 4)
- O#22. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO AGREEMENT FOR AND ACCEPT \$96,455 IN JOINT GRANT FUNDS WITH THE STARK COUNTY SHERIFF'S OFFICE FROM THE OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE; AND ENTER INTO CONTRACT FOR THE PURCHASE OF 15 TG3 KEYBOARDS, 5 HAVIS DOCKS, WATCHGUARD BATTERIES, 2 POLICE BICYCLES W/ACCESSORIES, 2 FTC PRO DOUBLE LAUNCHER BUNDLES, 1 BALLISTIC SHIELD AND 1 BOMB DETECTION K9 FOR THE POLICE DEPARTMENT PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW;

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AUTHORIZING THE AUDITOR TO RENAME FUND 2769 BYRNE MEM JUSTICE ASSIST GRANT 2015 FUND TO 2769 FY24 EDWARD BYRNE MEMORIAL GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 247/2024; AND DECLARING THE SAME TO BE AN EMERGENCY (\$48,227.50 SUPP APPROP FR UNAPPROP BAL OF 2769 FY 24 EDWARD BYRNE MEM GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER)

- O#23. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 5 WITH S.E.T., INC IN A AMOUNT NOT TO EXCEED \$219,184.62 FOR THE 11 ST. SE IMPROVEMENTS PROJECT, PID 90465, GP 1144; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO SAID CHANGE ORDER; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#24. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO NEGOTIATE WITH PROPERTY OWNERS AND ACQUIRE THE NECESSARY EASEMENT PARCELS BY DONATIONS IN EXHIBIT A; ESTABLISHES 28TH ST. NW AS A PUBLIC STREET, CONTINGENT UPON THE CITY ACQUIRING ALL PARCELS LYING UNDER THE EXISTING ROAD WAY DESCRIBED IN EXHIBIT A; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OR THEIR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS, AND OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#25. (2ND RDG) **ADOPTED AS ORDINANCE NO. 4/2025** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO FILE ANY ACTION PLAN/ACTION PLAN AMENDMENTS TO THE CITY'S 2022 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN ORDER TO IMPLEMENT THE HOME PROGRAM; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF CDBG PROGRAMS FUNDS; AND ENTER INTO ALL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY AND ALL PROCUREMENT PROCESSES AUTHORIZED IN THE CODIFIED ORDINANCES OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#26. (2ND RDG) **ADOPTED AS ORDINANCE NO. 5/2025** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO FILE ANY ACTION PLAN/ACTION PLAN AMENDMENTS TO THE CITY'S 2024 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN ORDER TO IMPLEMENT THE CDBG PROGRAM; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF CDBG

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PROGRAMS FUNDS; AND ENTER INTO ALL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY AND ALL PROCUREMENT PROCESSES AUTHORIZED IN THE CODIFIED ORDINANCES OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

O#27. (2ND RDG) **ADOPTED AS ORDINANCE NO. 6/2025** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO FILE ANY ACTION PLAN/ACTION PLAN AMENDMENTS TO THE CITY'S 2021 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) IN ORDER TO IMPLEMENT THE HOME-ARP PROGRAM; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF HOME-ARP 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 PROCESSES AUTHORIZED IN THE CODIFIED ORDINANCES OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Madam President.

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. Uh ... first I want to have the record reflect that Member Giavasis is here. Um ... and Leader Mariol.

MEMBER MARIOL: Madam President, I move we suspend Statutory Rules on Ordinances 25 through 27.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's moved and seconded to suspend the Statutory Rules on Ordinances #25 through 27. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Madam President.

#25 ADOPTED AS ORDINANCE NO. 4/2025

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #25 has been adopted.
Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you 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, Madam President.

#26 ADOPTED AS ORDINANCE NO. 5/2025

PRESIDENT BATES AYLWARD: Thank you. The motion carries and Ordinance #26 has been adopted.
Leader.

MEMBER MARIOL: Madam President, I move we adopt Ordinance #27.

MEMBER BABCOCK: Second.

PRESIDENT BATES AYLWARD: It's been moved and seconded that you 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, Madam President.

#27 ADOPTED AS ORDINANCE NO. 6/2025

PRESIDENT BATES AYLWARD: Thank you, Madam Clerk. The motion carries and Ordinance #27 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT BATES AYLWARD: We are now under Third Readings uh ... for Ordinances and Formal Resolutions and we have none for this evening.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT BATES AYLWARD: We are now under Announcement of Committee Meetings. Our next meeting date is January 27, 2025 and Committee will start at 6:45 P.M. We will have no meeting next Monday in remembrance of Martin Luther King Day. So, once again, our next meeting is January the 27th, 2025.

PUBLIC SPEAKS

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PRESIDENT BATES AYLWARD: We are now under Public Speaks, and we have six speaker this evening. Most of you have been with us before, but please step forward, give us your name ... your full name, your residential address and um ... please speak into the microphone so that we can hear you. We would appreciate it.

MEMBER MORRIS: Madam ... Madam President.

PRESIDENT BATES ALYWARD: Oh, I'm sorry ... oh I didn't have one, okay. Alright, before we get to that, I'm sorry, we do have one Committee Meeting next week. Which I was unaware of. Mr. Giavasis, as you've joined us just in time, what time will Finance meet next week?

MEMBER GIAVASIS: Finance will meet ...

PRESIDENT BATES ALYWARD: Or the week after.

MEMBER GIAVASIS: Madam Chairman, Finance will meet at 6:45, at that time.

PRESIDENT BATES ALYWARD: Thank you. Alright, thank you Madam Clerk and thank you Member Giavasis. Um ... our first speaker of this evening is Mr. Roger Gates. Mr. Gates

ROGER GATES: My name is Ro ... can you hear me?

PRESIDENT BATES ALYWARD: Yeah, yeah.

ROGER GATES: My names Roger Gates, my address is 611 Smith Avenue Northwest, Canton, Ohio, 44708. There you go. I come tonight, I haven't been here in a minute. Let me tell you the truth, my lawyer told me to come here and speak tonight. And the reason why he ask me to come here is because my community is afraid. Many of them are afraid because they've presented evidence to the police, the police dismiss it, even though it's on video but they say it don't exist. They tell us that our rights are not being violated, they are being violated just to keep us (*inaudible*) from questioning it. We the people are coming for answers for these things, just these things okay? Most people would rather side with the gang members in the neighborhood than to call the Canton City Police Department because then they end up in court. They end up with fines, they end up with cost, retaliation from speaking out or just being just ... just to be concerned. Second of all, why don't we just take all these lots here in town, instead of dragging it out over months, and why won't you just ... why don't you go to the county court house and auction them off. The \$6,000 waterlines that you guys are charging to put in, why don't you use that money for that? That is our money. Do you guys ... Are the taxes being paid on that property? Whose it being paid by? It's being paid by us right? We need help out here, we're starving, we're getting hungry out here. The houses that you're bringing in and you want to go build these houses, you're not going to bring the people in with the crime that's in the neighborhoods. You can't do it, unless if you were born and raised here & understand what's going on. You're not going to see it. My mom, Hall of Shame, my brother, my son, yeah we're all here. We've had enough, there's a reckoning coming for everybody. We're gonna start to demand these answers and you guys are going to have to answer the tough questions. Where are the jobs that's going to support us to buy these houses? I make \$15 an hour and I got sick last week and I had to miss a week of work. I have no medical insurance, I can't afford the \$500, I paid \$20 for my perscriptions, and I'm out a whole week's worth of wages. But I'm taxed to the point where my feb ... my taxes are due on February 14th, doubled. And you know what's sad about it? Because we've been talking to the people in the community, this isn't coming from me. The people in the community are afraid. Not only the ... about the gang members. But to call the Canton City Police Department, and that's why your crime satistics may be down. Go out into the

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neighborhood, look at me okay? I'm about to change and you're going to see a transformation in me because, I do this to survive in the hood. I've had enough of it and I'm not the only one so you guys are elected officials better realize that it's going to happen. And go head and laugh, you think it's funny? Well then, why laugh? Is it a joke? Am I a joke? Am I ignorant?

MEMBER GIAVASIS: No, I'm listening.

ROGER GATES: Thank you. We the people are coming.

PRESIDENT BATES ALYWARD: Thank you, Mr. Gates. (*applause*) Our next speaker is Ms. Skylark Bruce. Ms. Bruce.

SKYLARK BRUCE: My name is Skylark Bruce and I live at 2216 Bollinger Avenue Northeast. So many questions after hearing Police Chief, John Gabbard speak during the Committee Meetings this evening. After previous Committee Meetings when he gave an update, he did not remain in the Council Chambers and thus heard none of the committee ... thus heard none of the community feedback related to his remarks. I don't see him, here now, either, which is not encouraging. Number one, homicides and felonies assaults. Does this include homicides committed by police? And dog attacks and drop kicks committed by police officers? If, or when, Officers Burch and Schoenegge are convicted of homicide in the death of Frank Tyson, will the number of homicides in 2024 be officially up to 6? Number 2, sometimes studying what crimes have in common can give clues as to how to address the issues going forward. For example, if two burglaries became homicides and the motive was fencing items to sell for funds to feed an addiction, than putting funds not into policing but into addiction recovery can prevent both future homicides and future burglaries. This is what many people mean when they say things like "defund the police". Number three, other times money put into education that includes effective training and conflict resolutions for individuals can prevent bar fights that end in a death. Number four, home ... Domestic Violence Shelters and resources that keep survivors and abuser alive. Before domestic violence shelters existed, the rates of homicide to end the abusers life were more common, when the victim had not other way out. A fictionalized example is the 1980's book based on a true event, The Burning Bed. Shifting the police's focus to their core mission may help with the response times that Council Member Morris mentioned. Another way to recruit quality officers is by holding abusive officers accountable. Officers see when nothing is done and nothing is done and nothing is done to rain in the worst impulses of their colleagues. And it impacts where they choose to stay. Justice for Frank Tyson and Zachary Forenash.

PRESIDENT BATES ALYWARD: Thank you, Ms. Bruce. Our next speaker is Mr. Justin Nicely. Mr. Nicely. (*applause*)

JUSTIN NICELY: Hang on a second, let me get on your guys level maybe y'all will listen a little bit. My names Justin Nicely with the Canton Hall of Shame, single father, and a community advocate. Formerly a resident over at the Jackson Sherrick Community. I now reside at Massilion, Ohio. Now you've heard the famous phrase, you go around making people mad enough and you're doing them wrong, eventually you're going to run across the right one. Whelp, nice to meet you. Now, I told you had a problem before anymore lives are taken unnecessarily and you didn't listen to me. I told you that you guys had a rouge police department, several members of your highest chairs are guilty of criminal acts, you didn't listen to me. I told you that you kidnapped my children and that they were abused and trafficked and then given back to sweep everything under the rug with no follow up and to this day, not a single agency involed has let me file legitimate grievance over any of it and you still don't listen. Now, I have a trial, pro se, tomorrow to which I'm going to setting a presentate for fathers everywhere in this State, so go ahead and knock you off of your pedestools that you stand on, to think that you're to high and mighty to have a dialog with me. You guys are small potatoes in the fight

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that I'm in so ... uh ... I would hope you would pray for a positive outcome because it's going to be the determining factor of what monster you're going to be facing from now on. Mark my words when that every single one of you tonight that I'm going to call out, will come to the table and you will have a dialog with me about what you did, and why you did it. Oh, I can promise you, I'll be on every single one of you guys like fly is to crap stink and you will not get a moment of peace until you do. And to put a damper on the Canton City playbook of the retaliation, I got the legal backing and an army of like minded, equally sick and tired of y'all's behavior and just as pissed off about the complacency for y'all to do anything to change it. Every first Friday, every Town Hall, every City Council meeting, every public event, we're going to be there engaging you live for everyone to see. Every time you try to do a positive puff piece in the news we're shutting it down with the truth of how you don't care. Anytime we see your officers in the public who are on our radars a plague of being ... uh ... community to the serve ... that they serve, we're going to go ahead and hold them accountable since you won't. You're not going to be able to fart without us being able to have it on film by the time we're done and that's just the start of what we're about to bring. Jason Reece I'm letting you know, why do I need a lawyer when you're looking at the person that can sit there and hold you liable at anytime. I just wanted to see what you would do and you and your cowardest constituents did not disappoint. Conspiracy to charge, records destruction, intimidations and threats, title eighteen violations. What you think everyone that's (*inaudible*) just stupid to the laws and doesn't think that we can file motions of injunctive compliance to get our records that we requested? Now I wouldn't want to do man, I'll probably wreck you in court anyways. Now, um Andrea Perry, you're going to answer why you had me and my councils ambushed by your Gestapo and then you lied in 911 when you call out ... you know that he can call out your resignation. Chief Gabbards going to answer on why he sent his members of the public up to be attacked and why we can't file legitimate grievances with any of our offices. Madam Chair, you're going to answer for your numerous rights of violations agasint the public in filing false reports against us over it. And Mr. Mayor, you are going to hold up to your word and you're going to give me a helluva a lot better than what the hell you've been giving me right now because this ain't it. 2025 is all of y'all's year of rekonig this year and I promise you we are going to get the accountability that we deserve, and we the people are going to have some type of relevance. And if you don't think that's truth, just mark my words and remember this day because I'm going to show you that me, as a person, as a father and ... and ... and just as a person in general, has enough relivance that y'all should have done something. (*applause*).

PRESIDENT BATES ALYWARD: Thank you, Mr. Nicely. Our next speaker is uh ... doesn't have a last name but it says Brandi. Is there a Brandi here? You'll need to give us your last name please and your residential address.

BRANDI SMITH: Smith.

PRESIDENT BATES ALYWARD: Okay.

BRANDI SMITH: I live in Canton, Ohio.

PRESIDENT BATES ALYWARD: Okay.

BRANDI SMITH: I have been having police corruption and retaliation because I reported this robbery guy. Now they say I ... and this has been happening since October of '23 and now they say I'm crazy, mentally unstable and paranoid. And I have always ... the police have always refused to do nothing. Have me mentally health flagged for no reason and they have no grounds to say that and no proof and they need to take that off. You all are creating a bigger lawsuit on the city and police, have my family living in constant fear. The guy came back again the night after Christmas. I've sent many videos of this to the police and they have contradicted themselves and the police reports saying they see this is happening but I'm crazy and paranoid.

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Which I am not and they cannot prove it. And reports I've made they have lied on, even made up stuff that has never happened. The Chief and Safety Director, Andrea Perry, refuse to uh ... answer to my calls and emails many times that I've left and respond or anything. Sent out the gang unit to my house without contacting me, putting my family in more danger. Been told from the police that my no trespassing and private property signs don't mean anything, and they do. Even to the police, the police don't even know the laws, but I do. (*applause*).

PRESIDENT BATES ALYWARD: Thank you. Thank you, Ms. Smith. Um ... our next speaker is Rich Dyer. Mr. Dyer, yes.

RICH DYER: Can I give each one of y'all a copy of these?

PRESIDENT BATES ALYWARD: Uh ... sure uh ...

RICH DYER: To look at.

PRESIDENT BATES ALYWARD: Can ... can somebody grab that for him. Thank you. Thank you. Go ahead Mr. Dyer.

RICH DYER: My name is Rich Dyer, I live at 933 Dueber Aveune here in Canton. April 30, 2023, 11:45 p.m. That's the day I want you all to remember. I dang sure do and so does my wife and then my twelve year old, austistic son. This the day that the Canton City Police Department raided my home over a Texas child support arrest warrant. Not signed by a Governer, not signed by anybody legitimate, but by a corrupt judge that sent it through some type of electronic service up here. Texas ... and she was out of Texas, Janelle Havercamp. Fifteen to twenty officers bombarded my home, threaten my wife, tramatized my family, and shot me not once but twice, from point blank, six inches away, with a twelve gage, long barrel shotgun. Not once but twice. And you know what I was wearing? And I had my hands up, I had my phone in my hand recording, um, recording them. I was in my boxers. Officer in front of me, officers behind me. You can clearly see my hands. But two cowards, Anthony P Angelo and Cody (*inaudible*) Smith shot me. Shot me in the back. How corrupt does that get? Now you look at the piece of paper right there, I had almost thirty officers at my house. You tell me why that police report don't have more information on it, of what happened at my house. My child is tramtized for life. Me, I'm going to survive. This right here, that's what happened, big hole through the leg right there. Guess what? I'm still standing right here and I'm coming after the City of Canton Police Department, the Legal Department, the Federal Law, I'm going to make sure I shut you down. The City of Canton Police Department needs to be shut down. They're corrupt, the ... the Chief is a coward. He wouldn't even stay here. What kind of Chief of Police is that? He come in here and preach to y'all and everything else but he won't stay here and hear the public. That's unforgivable. He shouldn't even be the Chief. If he was here I'd tell him myself, gladly, 100%. We don't put up with this crap down in Texas. I've had forty guns drawn on me before when I was a youngster. Guess what? I didn't get shot once. You want to know why, cause they're polite, they actually ask. They don't just shoot to kill and walk away. I'm coming for you city, I promise you. Remember my name, you got the piece of paper right there in front of you. Not just me, but the people that I have in Washington and the individual that you took two shots at and tried to kill, I'm coming for you. And Mr. Mayor, you still haven't returned my calls. Seven months now, you're not a Mayor.

PRESIDENT BATES ALYWARD: Thank you, Mr. Dyer. (*applause*) And our fin ... our final speaker tonight is Mr. Daniel Gates. Mr. Gates

DANIEL GATES: My names Daniel Gates and I live in the U.S. Consitutional Republic. Let's talk about the roads. (*laughter*) I love talking about the roads because you guys suck at them. You suck at plowing them, you

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suck at salting them. I had to dig me and my neighbors section of the road out, just so we can get out of the road so we can get where we need to go, so we can supply to the people that we need to feed with the little that we have. You guys don't have any plans at all for the roads, do you? Because you guys just keep tearing them up with the plows. You let ... the winter is going to tear everything up that you guys have worked on cause you guys do shoddy work. Now the bigger issues is your police department. I've caught your police sitting in the park for hours, I've caught them in um ... Highland Park sleeping in their vehicals. You wonder why there's poor response times? This is why, because you got lazy cops that don't care because you guys won't hold them accountable. They can get away with murder, literally. The other thing is, is you guys are a bunch of red coats. You guys are a shame to the republic, dividing people with democracy, being Libertarians. It's just a real shame that ... you know ... we've come to you as a community, not with just our ... our experiences, but we speak for people that won't come and speak to you because they do not believe in you. You are the leadership they did believe in you when they voted for you but now they're not believing in you because everything you've said, you've turned your back on. You did the opposite of. You guys aren't protecting and serving. The Supreme Court has already ruled that you are not here to protect us, you're here to serve the law and we can see that with you thin blue line on your new crusiers. We see it. You guys are a low goat gang, that's what you are. You're one of the largest and now it looks like you guys are preparing to be blown up uh ... assault a on ... uh ... from us ... like it's crazy how the budget goes to show. You just follow the money and what you guys are so paranoid about. A bunch of people who want to be free, hold you accountable for the things that you guys are suppose to do, it's not unreasonable. It's what you signed up for. (*inaudible*). We the people. (*applause*)

MISCELLANEOUS BUSINESS

PRESIDENT BATES AYLWARD: Thank you, Mr. Gates. We are now under Miscellaneous Business. Is there any Miscellaneous Business that any of the Members would like to bring before the body?

MEMBER COOKS: Yes, Madam President.

PRESIDENT BATES ALYWARD: Yes, absolutely.

MEMBER COOKS: I just like the commend um ... the adults or significant others for bringing the young people in today um ... the children. It was just very refreshing reciting the National Anthem with them and just staying in tune with them. So, thanks to you who brought the young people in.

PRESIDENT BATES ALYWARD: Thank you very Ms ... Member Cooks. Anybody else have anything for Miscellaneous Business? Oh, go ahead Member Chris Smith.

MEMBER SMITH: Uh ... yes I would just like to invite each and everyone of you to the um ... Dr. Martin Luther King program, which is going to be held on Monday the 20th at the Southeast Community Center at 12, noon.

PRESIDENT BATES ALYWARD: And what time is that going to be?

MEMBER SMITH: 12, noon.

PRESIDENT BATES AYLWARD: Okay, make sure I heard that. Okay, any other Miscellaneous Business? Alright, Leader Mariol.

MEMBER MARIOL: Madam President, I move we adjourn.

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MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Madam President.

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

ADJOURNMENT TIME: 7:41 PM

ATTEST:

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

KRISTEN BATES AYLWARD
PRESIDENT