

NOTICE
SPECIAL MEETING OF COUNCIL

Clerk's Office, Brook Park, Ohio

SEPTEMBER 1, 2016

TO: COUNCIL MEMBERS TROYER, MENCINI, POWERS, SCOTT, BURGIO, McCORMICK, SALVATORE, MAYOR COYNE, LAW DIRECTOR HORVATH, FINANCE DIRECTOR CINGLE

YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF COUNCIL
HAS BEEN CALLED FOR THE PURPOSE OF:

_____ COUNCIL MEETING XXX CAUCUS MEETING
_____ EXECUTIVE SESSION _____ OTHER (Specify)

Such meeting will accordingly be held on TUESDAY the 6TH day of SEPTEMBER, 2016 AT 6:45 P.M. PRECEDING THE REGULAR COUNCIL MEETING.

(At the place of holding regular meetings (*Refer to Rules of Council No. 4 if applicable).

SUBJECT(S):

I. ROLL CALL OF MEMBERS

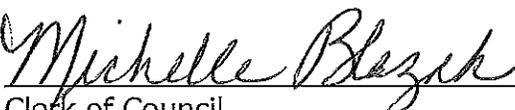
II. PLEDGE OF ALLEGIANCE

III. DISCUSSION:

SEE ATTACHED SHEET

IV. ADJOURNMENT

	<u>9-1-2016</u>	<u>1:20 pm.</u>
President of Council	Date	Time

	<u>9-1-2016</u>	<u>1:23 pm</u>
Clerk of Council	Date	Time

DISCUSSION:

1. A RESOLUTION TO IMPOSE A MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANUA FOR A PERIOD NOT TO EXCEED SIX MONTHS FROM THE EFFECITVE DATE OF THIS RESOLUTION, IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND THE BROOK PARK PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE BROOK PARK ZONING CODE RELATIVE TO SUCH USE AND DECLARING AN EMERGENCY. Introduced by Council President Astorino

2. SOUTHWEST GENERAL HEALTH CENTER 2017 ANNUAL LIST OF DELEGATES - PER COUNCIL PRESIDENT ASTORINO. **Deadline Date August 31, 2016**

SPECIAL

P/C	_____
CA	9/6/16
1st R	_____
2nd R	_____
3rd R	_____
B/C	_____

CITY OF BROOK PARK, OHIO

RESOLUTION NO. _____

INTRODUCED BY: COUNCIL PRESIDENT ASTORINO

A RESOLUTION
 TO IMPOSE A MORATORIUM ON THE GRANTING OF
 BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY
 BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE
 CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA FOR
 A PERIOD NOT TO EXCEED SIX MONTHS FROM THE EFFECTIVE DATE OF THIS
 RESOLUTION, IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL
 AND THE BROOK PARK PLANNING COMMISSION TO REVIEW APPLICABLE OHIO
 STATUTES, CRIMINAL CODES AND THE BROOK PARK ZONING CODE RELATIVE
 TO SUCH USE AND DECLARING AN EMERGENCY

WHEREAS, the Ohio General Assembly adopted on June 8, 2016 and the Governor has signed into law 131 Sub. H.B. 523, which becomes effective September 8, 2016; and

WHEREAS, 131 Sub. H.B. 523, among other things, permits patients in Ohio to use medical marijuana on the recommendation of physicians; creates state regulatory oversight of the cultivation, processing, retail sale, use and physician recommendation of medical marijuana; authorizes the legislative authority of a city to adopt regulations to prohibit or limit the number of retail medical marijuana dispensaries; and prohibits a cultivator, processor, retail dispensary or laboratory from being located or relocating within 500 feet of a school, church, public library, public playground or public park; and

WHEREAS, as such, the City's Administration, Council and the Planning and Zoning Commission require additional time to undertake a review of all applicable codes statewide and within the city in order to formulate a local response to 131 Sub. H.B. 523; and

WHEREAS, pursuant to the Constitution of the State of Ohio Revised Code, municipalities have the power to enact planning and zoning laws that are for health, safety, welfare, comfort and peace of the citizens of the municipality including redistricting areas used for businesses and trades;

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: That the Council of the City of Brook Park, hereby imposes a moratorium on the granting of building permits or certificates of occupancy for any building, structure, use or change of use that would enable the cultivation, processing, or retail sale of medical marijuana for a period not to exceed six months from the effective date of this Resolution, in order to allow the City Administration, Council and the Brook Park Planning and Zoning Commissions to review applicable Ohio statutes, criminal codes and the Brook Park Zoning Code relative to such use.

SECTION 2: The purpose of this Resolution, "medical marijuana" shall have the same meaning as that term is defined in Section 3796.01(A)(2) of the Ohio Revised Code, effective September 8, 2016.

SECTION 3: No building permits, certificates of occupancy or any other permits shall be granted to a business owner who intends to open, use any land or devote any floor area of the business for the purposes of the cultivation, processing, or retail sale of medical marijuana for the period of this moratorium. No valid existing business in the City may expand in any way that would establish cultivation, processing, or retail sale of medical marijuana for the duration of the moratorium.

SECTION 4: The moratorium shall be in effect for a period of six months from the effective date of this Resolution or until changes are enacted to amend the Codified Ordinances of the City of Brook Park to address these issues or until Council approves legislation explicitly revoking this moratorium, whichever occurs first.

SECTION 5: It is found and determined that all formal actions of this Council concerning and relating to this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that the City of Brook Park would like to impose a six month moratorium on building and/or occupancy permits regarding medical marijuana; provided that this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law

PASSED: _____

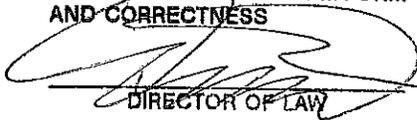
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS



DIRECTOR OF LAW

1955 11 10

2017
 SOUTHWEST COMMUNITY HEALTH SYSTEM
 BROOK PARK

Organization Type	Organization	Name & Contact
Civic	Brook Park Auxiliary Police	Jim Nobili - President Mike Plechaty - Alternative 17401 Holland Road Brook Park, OH 44142
Civic	Brook Park Police Association	George Kosakowski 17401 Holland Road Brook Park, OH 44142
Civic	Brook Park Office of Aging	Joan Corrigan 17400 Holland Road Brook Park, OH 44142
Civic	Brook Park Boosters Club	Joe Holesovsky - President Terry Gardner - Alternative 17400 Holland Road Brook Park, OH 44142
Civic	Brook Park Soccer Association	Craig Shultz 1271 Bonnieview Avenue Lakewood, OH 44107
Civic	Chamber of Commerce	Mike Dolan 17400 Holland Road Brook Park, OH 44142

Organization Type	Organization	Name & Contact
Civic	City Council	James Astorino - President of Council 6161 Engle Road Brook Park, OH 44142
Civic	Democratic Club	Tony D'Amico - President 6145 Michael Drive Brook Park, OH 44142
Civic	Firefighters Association	Matt Wright - President P.O. Box 42313 Brook Park, OH 44142
Civic	Friends of the Library	Cynthia Halabica 5856 West 130 th Street Brook Park, OH 44142
Civic	Rangerettes	Valerie Hughes - President 17250 Hummel Road Brook Park, OH 44142
Civic	Republican Club	Robert Ristmas 1228 Euclid Avenue Suite 105 Cleveland, OH 44115
Civic	Brook Park Memorial School PTA	Tiffany Lewis - President 16900 Holland Road Brook Park, OH 44142
Civic	Brookview Elementary PTA	Nicole Lesnick - President 5793 Wengler Drive Brook Park, OH 44142

Organization Type	Organization	Name & Contact
Civic	Brook Park Beautification And Pride Committee	Betty Cooper 6280 Adair Drive Brook Park, OH 44142
Civic	Brook Park Beautification And Pride Committee (alternate)	Patti Astorino 6258 Engle Road Brook Park, OH 44142
Civic	Ford Intermediate School PTA	Heather Losneck - President 387 Cranston Drive Berea, OH 44142
Fraternal	American Legion Auxiliary Post #610	Rene Reese 16944 Sheldon Road Brook Park, OH 44142
Fraternal	American Legion Post #610	James Dombrose - Commander Rick Soeder - Alternative 16944 Sheldon Road Brook Park, OH 44142
Fraternal	V.F.W. Post #6676	Frederick Szabo - Quartermaster James Wallace - Commander 590 Rocky River Road Berea, OH 44017

Organization Type	Organization	Name & Contact
Religious	Brook Park Community Church	Dan Johnson - Reverend 16845 Holland Road Brook Park, OH 44142
Religious	Holy Name Society	Rich Solich 14344 Fayette Blvd. Brook Park, OH 44142
Religious	Abrams Creek Baptist Church	James Beight - Pastor 18664 Sheldon Road Brook Park, OH 44142
Religious	Redeemer Lutheran Church	Michael Oakley - Pastor 6151 Smith Road Brook Park, OH 44142
Religious	Mary Queen of the Apostles	Father James Stenger - Pastor 6455 Engle Road Brook Park, OH 44142
Religious	United Methodist Church	Joe Carney - Reverend 6220 Smith Road Brook Park, OH 44142