

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, MAY 22, 2018
7:00 P.M.**

I. ROLL CALL OF MEMBERS

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. REGULAR CAUCUS MEETING HELD ON MAY 8, 2018.

IV. DISCUSSION:

1. DEPARTMENT OF PUBLIC UTILITIES DIVISION OF WATER PRESENTATION - (Mayor Gammella) - PER COUNCIL PRESIDENT VECCHIO.
In attendance: Commissioner Alex Margevicius.
2. PROPOSED CHANGES TO THE 2018 CAUCUS/COUNCIL MEETING & SUMMER SESSION SCHEDULE (Councilman Mencini) - PER COUNCIL PRESIDENT VECCHIO
3. REPLACEMENT OF DESKTOP COMPUTER FOR COUNCIL CLERK CONNECTION SALES QUOTE **\$909.74** - PER COUNCIL PRESIDENT VECCHIO
4. SIX- MINUTE AUDIENCE PARTICIPATION DURING COUNCIL MEETINGS (Councilman Mencini) - PER COUNCIL PRESIDENT VECCHIO.

IV. DISCUSSION: CONT.

5. RESOLUTION NO. 27-2017, TO EXTEND THE 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. Introduced by Councilman Scott

Note: Resolution was adopted on December 5, 2017 per override of Mayor's veto with a vote of 6-0 for a six-month moratorium that will expire on June 5, 2018.

V. SERVICE COMMITTEE - CHAIRMAN, ORCUTT:

1. AN ORDINANCE AUTHORIZING THE CONSULTING ENGINEER TO PREPARE PLANS AND SPECIFICATIONS AND THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO CONTRACTS FOR CITY OF BROOK PARK CONTRACTS 1802, 1803 AND 1804 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella
2. AN ORDINANCE AUTHORIZING THE MAYOR TO HIRE INSPECTOR(S) FOR BROOK PARK CONTRACTS 1802, 1803 AND 1804 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella

VI. ADJOURNMENT:

Posted 5/18/18

PROPOSED CHANGES TO THE 2018 COUNCIL MEETINGS/SUMMER SESSION SCHEDULE

REMOVAL OF THE FOLLOWING CAUCUS MEETING DATES:

June 26th
September 25th
October 23rd
November 27th

SUMMER SESSION

Weeks of July 24th and July 31st (fifth Tuesday, no meeting scheduled)
Weeks of August 7th & August 14th

CHANGES AND/OR REMOVAL OF MEETING DATES

MOVE the November 6th Caucus Prior and Council meetings to November 13th, due to General Election.

REMOVE the December 26th Caucus meeting due to the Christmas holiday

PROPOSED ADDITION

Discussion of the July 17th Caucus Prior and Council meetings



SALES QUOTE

GovConnection, Inc.
732 Milford Road
Merrimack, NH 03054

Account Executive: MaKenzie Southward
Phone: (800) 800-0019 ext. 34291
Fax: (603) 683-0335
Email: makenzie.southward@connection.com

24580253.02-W1

PLEASE REFER TO THE ABOVE
QUOTE # WHEN ORDERING

Date: 4/30/2018
Valid Through: 5/30/2018
Account #: 27442

Account Manager:
Phone:
Fax:
Email:

Customer Contact: Zach Ellis
Email: zellis@tccohio.com

Phone: (440) 281-5401
Fax:

QUOTE PROVIDED TO:	SHIP TO:
AB#: 27442 CITY OF BROOK PARK ACCOUNTS PAYABLE 6161 ENGLE ROAD FINANCE DEPT BROOK PARK, OH 44142 (216) 433-1300	AB#: 15047348 CITY OF BROOK PARK ZACH ELLIS 6161 ENGLE RD CLEVELAND, OH 44142 (216) 433-1300

DELIVERY	FOB	SHIP VIA	SHIP WEIGHT	TERMS	CONTRACT ID#
5-30 Days A/R/O	Destination	Small Pkg Ground Service Level	26.00 lbs	NET 30	

Important Notice: --- THIS QUOTATION IS SUBJECT TO THE FOLLOWING Terms of Sale: All purchases from GovConnection, Inc. are subject to the Company's Standard Terms of Sale, which describe important legal rights and obligations. You may review the Company's Standard Terms of Sale on the Company's website: www.govconnection.com, or you may request a copy via fax, e-mail, or mail by calling your account representative. The only exception to this policy is if your order is being placed under any one of our many national, state, educational or cooperative Agreements, in which case the Terms and Conditions of your Purchase Order are already pre-negotiated and stated in that Agreement. No other Terms and Conditions shall apply and any other terms and conditions referenced or appearing in your Purchase Order are considered null and void. Please refer to our Quote Number in your order.

* Line #	Qty	Item #	Mfg. Part #	Description	Mfg.	Price	Ext
1	1	33733366	CFC5C	OptiPlex 3050 MFF Core i5-7500T 2.7GHz / 8GB / 256GB SSD / HD630 / ac / GbE / W10P64 Dell Systems	Dell Systems	\$ 613.39	\$ 613.39
2	1	31449151	U2417H	23.8" U2417H Full HD LED-LCD Monitor, Black Dell Systems	Dell Systems	\$ 273.05	\$ 273.05
3	1	31491041	DANBNBC084	DisplayPort to VGA M / F Adapter, Black Dell Systems	Dell Systems	\$ 23.30	\$ 23.30
4						\$ -	-
5				Alternative Monitors to Consider:		\$ -	-
6	0	34276179	L215IPS-2N	21.5" L215IPS-2N Full HD LED Monitor, Black V7	V7	\$ 111.82	\$ -
7	0	23099656	S22E450BW	22" SE450 Series LED-LCD Monitor, Black Samsung Monitors	Samsung Monitors	\$ 132.86	\$ -
8	0	32635369	VG2249	22" VG2249 Full HD LED-LCD Monitor, Black ViewSonic	ViewSonic	\$ 166.87	\$ -

50-22-0118 LAUN ET,

Subtotal	\$ 909.74
Fee	\$ 0.00
Shipping and Handling	\$ 0.00
Tax	Exempt!
Total	\$ 909.74

11/22/17 Mayor's veto received
12/5/17 Read into record - Veto overridden
with a vote of 6-0

P/C 11-14-17 LEGISLATIVE
CA _____
1st R 11-14-17-12
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

RESOLUTION NO. 27-2017

INTRODUCED BY: COUNCILMAN SCOTT

A RESOLUTION TO EXTEND THE
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, on May 16, 2017, this Council passed Resolution No.
10-2017, extending a moratorium granted by prior Resolution to
further review all Planning and Zoning Commission requirements and
allow for a more thorough review of all codes statewide within the
City; and

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 extends the 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 March 16, 2017.

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: December 5, 2017

Jim Ratom
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
CLERK OF COUNCIL

APPROVED: Veto received 11/22/17
MAYOR

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS
[Signature]
DIRECTOR OF LAW

12/5/17 Veto overridden
Council Meeting

CERTIFICATE
Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 27-2017 passed on the 5th day of December 2017 by said council.
Michelle Blazak
Clerk of Council

Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975, location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5550 Smith Road, #2 Fire Station 22580 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days, commencing December 5, 2017
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Powers	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McDonnell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>



12/5/17 Council Read Into Record 27-2017

City of Brook Park
City Hall

Thomas J. Coyne Mayor

6161 Engle Road
Brook Park, Ohio 44142

Phone: 216-433-1300 ♦ Fax: 216-433-1511

mayor@cityofbrookpark.com ♦ www.cityofbrookpark.com

Memo

Date: November 22, 2017

To: Clerk of Council, Michelle Blazak, President of City Council, Jim Astorino, All members of City Council

From: Mayor Tom Coyne

RE: Resolution 27-2017

Please be advised that in accordance with section 3.03(b) of the Charter of the City of Brook Park, I hereby Veto Resolution 27- 2017 for the following reasons;

1. After review of the state regulations retail sales would be the only portion of the operation of the medical marijuana processing that could be considered in Brook Park. Ideally, it was my hope that retail sales could be undertaken by licensed pharmacies, the state determined otherwise. I see no impediments nor adverse effects to retail sales outlets being permitted in our city. This resolution speaks more to procrastination then legitimate concern. Council should enact legislation to allow for retail sales outlets under a conditional use permit. The continuation of the moratoriums serves no legitimate purpose.
2. Concern for our veterans and convenience of accessibility to prescribed treatment for our citizens should be paramount. The medical advocates contend that medical marijuana is the better choice than opioids to treat pain and relieve suffering. Our affected citizens should not have to leave Brook Park to get the prescribed help they require.
3. It's Veterans Day, banks are closed, people don't receive their mail and military veterans have multiple options to eat free at restaurants as a thank you for their services. But the American Legion, wants those who served to have access to something else: medical marijuana. The National American Legion wants the federal government to reclassify marijuana and to allow veteran affairs doctors to prescribe medical marijuana to patients in states that allow it. Brook Park City Council should pass a resolution to that effect supporting our veterans.
4. Finally, as of September 2018 physicians in Ohio will now be allowed to prescribe medical marijuana to their patients suffering from any disease on the following list:

17 NOV 22 PM 3:29:01

- AIDS/HIV
- Alzheimer's disease
- Amyotrophic lateral sclerosis, or ALS
- Cancer
- Chronic traumatic encephalopathy
- Epilepsy or another seizure disorder
- Fibromyalgia
- Glaucoma
- Hepatitis C
- Inflammatory bowel disease

- Multiple sclerosis
- Chronic or severe pain
- Parkinson's disease
- Post-traumatic stress disorder, or PTSD
- Sickle cell anemia
- Spinal cord disease or injury
- Tourette's syndrome
- Traumatic brain injury, or TBI
- Ulcerative colitis

We have hundreds of veterans and other citizens in our city suffering from one or more of the above diseases. If their doctor does prescribe these medicines to eliminate their pain our citizens should not have to go to other cities just to fill their prescriptions.

Thank you.



Mayor

CITY OF BROOK PARK, OHIO

P/C 5-15-18 SERVICE
CA VPIC 5-15-18
1st R _____
2nd R _____
3rd R _____
B/C _____
CAUCUS 5-22-18

ORDINANCE NO. _____

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AUTHORIZING THE CONSULTING ENGINEER TO
PREPARE PLANS AND SPECIFICATIONS,
AND THE MAYOR TO ADVERTISE FOR BIDS, AND ENTER
INTO CONTRACTS FOR CITY OF BROOK PARK
CONTRACTS 1802, 1803 AND 1804
AND DECLARING AN EMERGENCY

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

SECTION 1: The Consulting Engineer is hereby authorized to prepare plans and specifications, and the Mayor is authorized to advertise for bids and enter into contracts with the lowest and/or best bidder or bidders for Brook Park Contracts 1802, 1803 and 1804 as identified on Attachment "A". The Consulting Engineer shall be paid a lump sum fee of \$55,500.00.

SECTION 2: The money needed to complete the aforesaid transaction shall be paid from the 2018 Street Improvement Fund No. 545 theretofore appropriated or to be appropriated for said purpose.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety of said City, and for the further reason that the City desires to complete the engineering for Brook Park Contracts 1802, 1803 and 1804 as soon as possible; therefore provided this Ordinance 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



May 9, 2018

Mayor Michael D. Gammella
City of Brook Park
6161 Engle Road
Brook Park, Ohio 44142

Re: 2018/2019 Roads Program

Dear Mayor Gammella:

The streets in the City of Brook Park were recently inspected and the street database rating the condition of the roadways in the City was updated. The condition of streets and the database rating were reviewed with the Service Director and the following is recommended for the 2018/2019 Roads Program for the City of Brook Park.

Street Resurfacing

CAROL DRIVE	End	to Park Dr	(Contract 1802)	\$121,000.00
CHRISTENE BOULEVARD	Sheldon Rd	to End	(Contract 1802)	\$232,800.00
Sub-Total Resurfacing:				\$353,800.00

Additional Project(s) to be Included:

CONCRETE JOINT REPAIRS	Brookhaven	(Contract 1803)	\$145,000.00
CRACK SEALING	Various Streets - Ward 2	(Contract 1804)	\$60,000.00
CRACK SEALING	Various Streets - Ward 3	(Contract 1804)	\$100,000.00
Sub-Total Additional Projects:			\$305,000.00

Program Sub-Total1: \$658,800.00

Engineering and Construction Administration:	\$55,500.00
Inspection:	\$19,500.00
Testing:	\$6,000.00
Legal Advertising:	\$3,600.00

EST. TOTAL FOR CONTRACTS 1802, 1803 AND 1804 = \$743,400.00

Allocation towards portion of Smith Road
Resurfacing, Sheldon Road Resurfacing, and
Holland Road Reconstruction Projects = \$763,100.00

TOTAL = \$1,506,500.00

Please note that Construction, Legal Advertising, Material Testing and Inspection dollars are all estimated and the extent of sewer repairs and waterline replacements are unknown at this time . Please call if you have any questions or require additional information.

Very Truly Yours,

Edward R. Piatak, P.E.
Consulting City Engineer

Attachment "A"

H/O 5-15-18 Service
GA PROR 5-15-18
1st R _____
2nd R _____
3rd R _____
P/C _____
AUCUS 5-22-18

CITY OF BROOK PARK, OHIO

ORDINANCE NO. _____

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AUTHORIZING THE MAYOR TO HIRE INSPECTOR(S)
FOR BROOK PARK CONTRACTS 1802, 1803 AND 1804
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Brook Park,
State of Ohio, that:

SECTION 1: The Mayor be and is hereby authorized to hire
Inspector(s) for the Brook Park Contracts 1802, 1803 and 1804.
The Inspector(s) shall report to and be directed by the Consulting
Engineer.

SECTION 2: The Inspector(s) shall be paid between \$18.00
and \$23.00 per hour. Such payment to be made by the City upon
receipt of statements from the Inspector(s).

SECTION 3: The money needed to complete the aforesaid
transaction shall be paid from the 2018 Street Improvement Fund
No. 545 theretofore appropriated or to be appropriated for said
purpose.

SECTION 4: It is found and determined that all formal
actions of this Council concerning and relating to the adoption of
this Ordinance 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 action, were in meetings
open to the public, in compliance with all legal requirements
including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Ordinance is hereby declared to be an
emergency measure immediately necessary for the preservation of
the public peace, health, safety of said City, and for the further
reason of the immediate need to have an Inspector(s) on-site for
the duration of the Project; therefore provided this Ordinance
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