

**SPECIAL CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, SEPTEMBER 6, 2016**

Mr. Astorino called the meeting to order at 6:45 p.m., who read the meeting notice. The clerk called the roll and the following Members of Council answered:

SCOTT, BURGIO, SALVATORE, TROYER, POWERS, McCORMICK, MENCINI

Also in attendance were Mayor Coyne, Law Director Horvath, Finance Director Cingle, Safety Director Byrnes, Service Director Cayet and Building Commissioner Hurst.

DISCUSSION:

1. A RESOLUTION TO IMPOSE A MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCUTRE, 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 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 USE AND DECLARING AN EMERGENCY. Introduced by Council President Astorino

Mr. Astorino - what I'm looking to do is I want to bring it to this caucus meeting because what I'm asking council to do is to place it on today's council meeting under a first reading. This deals with the medical marijuana bill that was passed back in May and is due to take effect Sept. 8. This gives us a moratorium if we pass this that will allow us six months to take a look at how we want to implement all the aspects of the law. I'll open it up for any questions or if the Law Director would like to give it an intro or not. It's up to her.

Ms. Horvath: I handed out information sheets, and basically this was signed by the governor June 8th and it will become effective Sept. 8th. So it's rapidly approaching and unfortunately we don't know very much about what the rules are going to be. So, that's the idea behind doing the moratorium. Obviously we as a Charter city and a municipality remain able to enact our own ordinances with regard to zoning and so forth. These are the issues that we would be taking a look at in the six-month period and waiting for them to

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come out with whatever rules that they are going to come out with; that's 's the idea behind it.

Mr. Troyer: will you be accepting co-sponsors on this?

Mr. Astorino: Yes

Mr. Troyer: I would like to get this in place by two days from now when this takes effect. We need to have this done and signed by tomorrow hopefully. I would hope that we don't use all of that six-months if we can get it done sooner. If the state acts sooner we could get something on the books sooner. I don't want people waiting for their medication or anybody waiting for medication they need; I'm all for this but we got to get it right.

Ms. McCormick: I want to say, later this evening on third reading I have an item regarding the same issue and I have a series of amendments that I passed out. I emailed to all council members, law director, Mayor over the weekend, and I passed out copies today; there are also a couple of extra copies in the back. It would address some of the same things, the exact same thing that you are doing, but a slightly different time period and it also goes into more explanation about what the plan of action would be during this moratorium, and explains the purpose of the moratorium more. So I would like council to consider the amendments later and I don't know if we need a whole separate one. Also, the state has not put in place all of the rules and from what I'm hearing it's not likely they will be done until next year, about this time next year. So it's like it's not going to affect any changes or licenses granted during this time. But it's good to have in case something comes up, I'm in support of the idea. I think with the amendments I've proposed we don't necessarily have to deal with it in a separate piece.

Mr. Astorino: the only think I would like to point out if you don't mind, is since the amendments that you are proposing are on a third reading that we take that bill back to a second reading because if we amend something on a third reading it goes back to a second reading.

Ms. McCormick: Yes

Mr. Astorino: So we wouldn't be able to pass...

Ms. McCormick: Well we would if we suspended our Council rules.

Mr. Astorino: Yes, That's correct.

Ms. McCormick: Because it's not a Charter rule, it's just a Council rule.

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Mr. Astorino: Correct.

Mr. Salvatore: Ms. Horvath, is that standard, a six-month moratorium?

Ms. Horvath: That's a good question. I don't know if in this particular situation there is any standard because it's kind of new. But most of the cities have been doing the six months.

Mr. Salvatore: If we wanted to go longer we would have to renew the six months or?

Ms. Horvath: That's correct.

Mr. Salvatore: Go back out and add another three months or four months or whatever.

Ms. Horvath: Yes. That's correct.

Motion by Mr. Salvatore, supported by Mr. Troyer, to place on the Regular Council meeting immediately following.

ROLL CALL: AYES: Salvatore, Troyer, Powers, Mencini, Scott, Burgio

NAYS: McCormick. The motion carried with a vote of 6-1.

Mr. Astorino: That resolution will be number 25-2016 and will appear under item M-1. Item number 2 is a list of organizations that belong to the Southwest General Health Center. It's our annual list of delegates for Council and we just missed the deadline but it's close enough that we can get it in. This is a list that we need to provide to Southwest of the delegates for the various organizations. What I'm looking for tonight is this will just be placed on council agenda under verbal approval.

Mr. Salvatore: I have a few more organizations that I've had conversations with and I would like pass these forward and add them to the list tonight. One is the Neighborhood Watch, Brook Park Impact, Brook Park Family Nar-anon I'd like to add them to the list. They are all bonafide organizations within Brook Park and they are all qualified for this list and they all want to be a part of it.

Mr. Astorino: So for the rest of Council, I am adding Neighborhood Watch Group, address 6503 Fry Road, Brook Park, the delegates will be Tracy Peters, with the alternate being Jennifer Roberts. Then we have Brook Park Impact which is the address of the Rec Center 17400 Holland Road, the delegate will be Cindy Schick. The other one is Brook Park Family Nar-anon with Kathy Stautihar 6288 Sailor Drive with alternates Bill Boller that will be

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added to the list. I also want to make a correction on the second last page under the Brook Park Beautification and Pride Committee. Betty Cooper is no longer the delegate, Patty Astorino is the delegate. So we will list Patty Astorino the delegate, move her up from the alternate spot. Tom Troyer will be the alternate on that.

Motion by Mr. Salvatore, supported by Mr. Troyer, to place on tonight Regular Council agenda.

Mayor Coyne - I would like to add the City of Brook Park Administration is a specific organization and should have representation as well; the administration doesn't have any representation.

Mr. Astorino: Let's do the delegate now?

Mayor Coyne - proud to be the delegate and Mr. Cingle as the alternate.

ROLL CALL: AYES: Salvatore, Troyer, Powers, McCormick, Mencini, Scott, Burgio

Mr. Astorino: The Southwest Delegate List will be added to verbal approval under letter J.

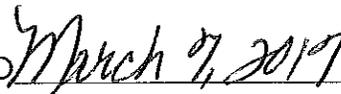
There being no further business to come before this meeting Council President Astorino declared this meeting adjourned at 7:00 p.m.

RESPECTFULLY SUBMITTED



Michelle Blazak
Clerk of Council

APPROVED



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