

**ITEMS TO BE CONSIDERED
AT THE CAUCUS PRIOR TO THE COUNCIL MEETING
TO BE HELD ON TUESDAY, NOVEMBER 17, 2020**

The meeting was called to order by Council President Vecchio at 7:30 p.m., the clerk called the roll and the following Members of Council answered:

SCOTT, SCHMUCK, ORCUTT, TROYER, MENCINI, POINDEXTER, SALVATORE

Also in attendance were Law Director Horvath, Finance Director Cingle, Mayor Gammella and Recreation Director Elliott.

Motion by Poindexter, supported by Mrs. Schmuck, to go into Executive Session for Attorney Conferences - Economic Development Incentives.

ROLL CALL: AYES: Poindexter, Schmuck, Scott, Orcutt, Troyer, Mencini, Salvatore

NAYS: None. The motion carried at 7:03 p.m.

In attendance: Councilmembers, Mayor Gammella, Law Director Horvath and Finance Director Cingle.

Motion by Mr. Scott, supported by Mr. Troyer, to go back to regular order of business.

ROLL CALL: AYES: Scott, Troyer, Mencini, Poindexter, Salvatore, Schmuck, Orcutt

NAYS: None. The motion carried at 7:35 p.m.

DISCUSSION:

1. RESOLUTION NO. 35-2019, 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 TWELVE 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 Council as a Whole and Mayor Gammella

Mr. Vecchio commented this was brought forward by a previous Council and Mayor Gammella.

Motion by Mr. Scott to amend fifth line 'not to exceed 12 months of effective date to November 17, 2021.

Mr. Troyer - Point of clarification

Discussion: cont.

Mr. Vecchio recognized.

Mr. Troyer - this is an old piece of legislation Council cannot do anything with this.

Mr. Scott - all that is being done is changing the date.

Mr. Troyer - you can't amend it this isn't the proper way to amend, need to have old and new with repealing of the old. What Council needs to do is take the piece of legislation emailed and put that in this place.

Mr. Vecchio - Mr. Troyer, no we don't, we can amend this current piece of legislation

Mr. Troyer - you cannot just amend it, has to be written out, has to have the previous and new wording included. Can't just change an existing piece of legislation by having under discussion and changing, can't be done that way.

Mr. Scott - still have the floor.

Mr. Troyer - you can't.

Mr. Scott - still have the floor.

Mr. Vecchio - continue Mr. Scott.

Mr. Scott - Mrs. Horvath

Mr. Troyer - Madam, law director.

Mr. Vecchio - Mr. Troyer.

Mr. Scott - sir, I have the floor.

Mr. Vecchio - Mr. Scott continue.

Mr. Scott - Madam law director, are we a quorum?

Mrs. Horvath - believe so, yes.

Mr. Scott - is this a scheduled meeting?

Mrs. Horvath - it is a regular scheduled meeting of the Council.

Mr. Scott - we are able to amend this legislation.

Discussion: cont.

Mrs. Horvath - yes, I believe so, it's a resolution and believe what is being changed in minimal; my opinion would be yes.

Mr. Scott - Council is not changing the body, just the effective date to twelve months, correct?

Mrs. Horvath - that is my understanding, yes.

Mr. Scott reiterated his motion amend the fifth line 'not to exceed 12 months from the effective date of this resolution, effective date being November 17, 2021.

Mr. Salvatore asked where is that being inserted?

Mr. Scott responded title and section 1.

Mr. Salvatore clarified 12 months.

Mr. Vecchio read the first section, 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 sales of medical marijuana for a period not to exceed twelve 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 of such use. There is no effective date in the above portion.

Mr. Scott concurred.

Mr. Salvatore stated to Mrs. Horvath can this resolution be modified and if so where should the changes be made? My concern is that Council does something to have on the books while the process takes place, how can Council achieve this goal?

Mrs. Horvath responded in the first 'Whereas' insert Council passed Resolution No. 35-2019 on November 17, 2019 and insert a separate 'Whereas' following to read it is Council's intention that the moratorium be extended and insert the date Council wants the moratorium to end.

Mr. Vecchio commented in Section 1 could the words be inserted 'not to exceed twelve months from, November 17, 2020, the effective date of this resolution'.

Mrs. Horvath stated that would be another way to do this.

Discussion: cont.

Mr. Salvatore stated the first Whereas can't be amended because that is the starting date when this began. Wouldn't it be easier to just change twelve months and make 24 months, wouldn't that be an easier way to clean this up?

Mrs. Horvath concurred.

Mr. Poindexter asked if any work has been done on this moratorium on medical marijuana, to this point? Has the city looked at the applicable Ohio statutes, criminal codes and Brook Park zoning relative to this issue? When first coming on Council this was the first pieces I saw and at time it was a six-month moratorium and asked the same question if any research was done and didn't get an answer then. Voted for the six-month moratorium and after that expired voted for the 12-month moratorium and here we are today. Is Council going to keep putting moratoriums on medical marijuana or if the majority of Council is against then outlaw it; or let the legal businesses set up a legal business within the city. If this is just buying time for research and the research isn't getting done where is the city going from here?

Mr. Mencini stated Mr. Poindexter brings up a great point and will be more than hones when it comes to relieving pain no one has to tell me about that with my hip. I never took medical marijuana but some people need this and not against this, maybe some of this should have been done my now. Agree with Mr. Poindexter when this comes out of committee there should be parameters what can this business do and can't do? The issue I have is I don't just want them an anywhere like popping up on a corner. Not against this but what can the city do or not do and where can these businesses be located within the city i.e. near residential homes or schools. Those are the items that have to be looked at and unsure of.

Mr. Scott stated to Mr. Poindexter the resolution reads the city administration, Council and planning & zoning commission are required to spend the time on this. The reason this appears tonight because on last Monday there was discussion on an establishment wanting to locate on West 150th Street & Brookpark Road and looking at the website the company moving in that was interested in that location included medical marijuana. A red flag came up and called and everyone should have been aware that the city's medical moratorium was expiring on November 19th. The City of Garfield Heights has 12 pages of legislation for medical marijuana, the City of Lakewood has 11 pages of legislation for medical marijuana. There is no way the City of Brook Park is ready to even move forward, the problem is if there is a building in the proper zoning these companies can come in and purchase. To date the city has nothing on the books to curtail this or make restrictions or any type of guidelines. Am I against medical marijuana yes because my main concern is as of today the city has nothing on the guidelines for this. Looking at extending this one year for Council, the administration and planning & zoning to move forward with

Discussion: cont.
discussions.

Mr. Poindexter asked how long would it take to get legislation in place like other cities have? We have been kicking the can down the road for almost two years on this matter with no legislation drafted. It seems the city already has a business ready to move forward but the city isn't ready and, to me, that looks bad on Council, the administration because something should be prepared already and shouldn't be waiting until two days before expiration to renew; this should have been discussed three meetings ago. I'm not an advocate for or against medical marijuana but did have time to do some research about this and found out this doesn't have the stigma that it had three, four or five years ago and is becoming more widely accepted with 33 states legalizing medical marijuana; eleven of those states have legalized recreational marijuana which is a whole different issue than what Council is dealing with here. Some of the conditions is this isn't just for pain management as Mr. Mencini mentioned this can treat Alzheimer's, ALS, Cancer, Crohn's Disease and the list goes on and on with a whole host of conditions that medical marijuana helps. In that aspect this is beneficial and is not just for people coming off the streets to purchase it's from doctor's recommending patients to use it; not a prescription because currently it's illegal to prescribe marijuana but needs a doctor's recommendation for usage. So this is kind of controlled with some hindrances for patients that do use or need this and their employer can discriminate on them based on the use of this. As far as setting up a legal business in the city I think Council should take that on as a challenge over the next few months and would be willing to do a few months' moratorium rather than a full year. Because what we're doing this is putting a year moratorium on this and then forgetting about it and scramble to renew the moratorium. I would be willing to do a six-month moratorium and take the charge on this with doing all the homework, if Council is willing to do that.

Mr. Troyer stated first of all and speaking on the basis that this is proper if I don't believe so. The effective date was November 21, 2019 when the Mayor signed the legislation. Secondly, the Charter reads that things like this should go to the Planning commission first and suggest a motion that the Planning committee take this up. Third, the last time I voted to have a moratorium was in 2017 I stated, at that time, I would never vote for it again because of kicking the can down the road. When this started four years ago it was about us waiting for the state to promulgate their rules, city couldn't do rules until the state did their rules. The state has had rules for a couple of years and once again we want to kick the can down the road. We need to do our jobs, get this in process and come up with if the city doesn't want this at all or legislation as to what the rules are going to be. There were a few places that had agreements and could have & Brookpark Road they may have known the legislation was about to expire and planned it that way. If this moratorium were to pass for another year the city may lose that business, moreover, that would be a good location for that business because basically would have to be figured as a drug

Discussion: cont.

store. In 2017, I stated I wouldn't vote for this, it's wrong to keep kicking the can down the road, will not do. The only way tonight I would vote for this would be if it's a very short term of three to four months. With the commitment this would go directly to Planning committee first of the year to do what is necessary and bring back to Council to promulgate the proper rules for the city. That's our job and what should be done and if it's not short-term, if it's another year, I am a no vote.

Mr. Orcutt stated listening to both sides and there are very good points being made. Mr. Poindexter stated why in two days is Council looking at this? If this was something so important for the city I think we would have seen this go through the Planning committee and Board of Zoning Appeals and have the Mayor pushing this. I have not heard anyone in my ward talk about cultivating, manufacturing, processing and selling marijuana. Personally, I agree with Mr. Mencini's statement where would this type of business go? Is this something wanted in the city? Right now, the city is not even close to be set up for and think this is something that does take a year to get moving forward if that's what the commissions want, if that's what Council wants. I don't think this is something to be pushed onto the residents in three, four or six months if this is something that is that important all of us should work on this, for tonight, I am a no vote and will not support a short-term.

Mr. Vecchio asked Mr. Cingle what are the financial gains for the city by having businesses like this? Do you know what would be brought into the city with income tax and so on?

Mr. Cingle responded it all depends on how many jobs, what the average salary of those jobs, there is also net-profit tax to the city that could potentially be collected, if the company has a profit. So both payroll and net-profit tax along with real property taxes the company would pay.

Mr. Vecchio continued do you have an idea of past history of the salaries or if full or part-time jobs.

Mr. Cingle responded I do not and stated a \$30,000 average job would pay \$600.00 to the city.

Mr. Scott stated I agree with Mr. Orcutt if this was something of importance I think it would have been brought out before. There is nothing current that would mandate, require or force business to move into vacant buildings within the city if this moratorium is not extended. What happens is there has to be proper zoning, purchased by the interested party, then both city and state have to approve location; this is not a three, four, five-month ordeal. There are no business restrictions, there has to be licensing fees, what's the application process, what are the enforcement procedures, what is the penalty stage? There is so much that has

Discussion: cont.

to be worked on and maybe starting tomorrow this can move forward but for the past 11 ½ months nothing was even mentioned about this. If it wasn't for me reading that website this moratorium would have expired; just a fluke that I asked a question and found out. Again, 11 ½ months If this was something of high importance to our Councilmembers why wasn't anything done on it. We are not prepared to move forward this is not a three, four, five-month process. This is a resolution and if something comes forward Council amends the resolution or defeats it, this city needs protection now and it's going to take longer than three or four months. If there is a motion for a short-term it's not going to work, in my opinion.

Mr. Salvatore stated what is in front of Council is a resolution to see if the moratorium is going to be extended or let expire for anyone to open a business on any corner of the city. There will be no restrictions, no laws in place, no protection, no fees established for licensing; this city had licensing fees when the game room was located at Brookgate shopping center. As one Councilman, this moratorium has to be extended, in my opinion, to get all items in place. If Council does nothing there will be no restrictions on where these businesses can locate, won't be in the zone where they belong. Whether for or against all together is irrelevant because every Councilmember and the Mayor has had a year if they wanted something to happen, everybody is involved in this. I don't think they should be in Brook Park at all but another year has passed, things changed and they have gotten better than I think the city still has to have restrictions and do our job to make sure everything is in place with a fair licensing fee. Today, the vote is for the restrictions to be applied or let this moratorium expire. As one Councilman, I want the moratorium to continue and let the process take its place for those that want to push this you will have that opportunity to do that within the next year.

Mr. Troyer stated I don't think the choice is to let this expire or passage; the choice is how much time is needed. There are already cities out there that have these dispensaries so you contact those cities to get information of what was done, what rules that city has and adjust legislation for Brook Park. The point is the reason again, I would go for a short-term, if the short-term isn't time enough, if I see progress in promulgating the rules from the Planning commission then come to Council in a few months, I would be fine with extending after that. To just add another 12 months when that has not worked there has to be some kind of urgency. Let's do this for three or four months and make sure it goes to the Planning commission and see where it goes from there, without that sense of urgency I see Council adding another year to this. If not, then legislation needs to be drafted to make this illegal until further notice.

Mr. Vecchio – Point of clarification listening to both sides. Mr. Troyer mentioned something about if this goes to 12 months nothing is going to get done; should be three, four months or whatever. Mr. Salvatore mentioned this is a resolution and

Discussion: cont.

can be amended again. Why doesn't Council put together a timeframe to bring back out of committee, put the moratorium for 12 months, bring in out of committee in four months.

Mr. Poindexter interjected won't hurt by putting on for three months, same thing can be done.

Mr. Vecchio continued doesn't look like there is consensus.

Mr. Troyer interjected its proven that 12 months doesn't work.

Mr. Vecchio continued I don't think anyone is in agreement, just offering a solution for everybody.

Mr. Poindexter stated compromise six months, done.

Mr. Mencini stated no what this does and keep hearing both sides of 12 months or three to four months. With the budget coming this Council has quite a bit to do with the budget. Instead of using the term kicking the can down the road I don't think six-months is a bad timeframe if we want to roll up our sleeves and go to work; not only on this piece but many other things. Six months, to me, is an adequate time and agree with some of my colleagues that there is nothing here; places could start popping up and is that the city we want to be? I'm sure some residents want this but my point is we have to work together on this and think six-months is adequate time if we really want to work hard on this; along with a lot of the other things we need to do.

Mr. Vecchio ended debate and stated there is a motion on the floor to amend with Mr. Salvatore had discussion with a date being inserted.

Mr. Salvatore responded yes, instead of 12 months make it 24 months, instead of changing the original date in the first Whereas where this started of November 18, 2018.

Mr. Scott stated in support of something like that.

Mr. Poindexter asked for a repeat.

Mr. Salvatore suggested in the section that speaks to 12 months make it 24 months.

Motion by Mr. Scott to amend in first section 12 months to 24 months.

Discussion: cont.

Mr. Troyer stated Council needs to decide what the time period is and would go along with Mr. Mencini & Poindexter with six-months as a compromise, think that would be a good compromise. Also, could tell Council the changes and have them marked down.

Mr. Scott **rescinded** his motion to amend.

Motion by Mr. Scott, supported by Mr. Salvatore to amend section 1 by deleting 12 months and inserting 24 months from effective date of this resolution.

Mr. Salvatore commented there are two Councilmembers that wanted six-months. Would Council be willing to compromise the six months and make it 20 instead of 24 to make it smoother and cleaner.

Mr. Poindexter commented that would be eight months.

Mr. Troyer commented no, already compromised.

Mr. Poindexter stated okay with that but need to roll up sleeves and move forward on this since the city has a business that is ready to get started, legal business in Ohio and in a good area. We need to roll up sleeves and seriously look into this since this is revenue being left on the table that the city can use.

The clerk called the roll on the motion by Mr. Scott, supported by Mr. Salvatore, to amend 12 months to 24 months.

ROLL CALL: AYES: Scott, Salvatore, Orcutt

NAYS: Schmuck, Troyer, Mencini, Poindexter. The motion failed with a vote of 3-4.

Motion by Mr. Salvatore, supported by Mr. Orcutt, to amend by deleting 12 months and inserting not to exceed 20 months.

Mr. Troyer stated a no vote, already compromised from two to four to six gives Council enough urgency to get it done.

ROLL CALL: AYES: Salvatore, Orcutt, Schmuck, Poindexter

NAYS: Scott, Troyer, Mencini. The amendment carried with a vote of 4-3.

Discussion: cont.

Motion by Mr. Scott, supported by Mr. Mencini, to place on the Council agenda immediately following.

ROLL CALL: AYES: Scott, Mencini, Poindexter, Salvatore, Schmuck, Orcutt
NAYS: Troyer. The motion carried with a vote of 6-1.

Mr. Vecchio stated Resolution No. 35-2019 will appear under K-1.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH DRIVEOHIO AND DECLARING AN EMERGENCY. Introduced by Councilman Poindexter. **Note:** Moved from the November 10, 2020 Caucus meeting for further discussion.

Mr. Poindexter stated this was discussed at length last meeting and Council had some concerns. This doesn't give anyone on a specific trial this just puts Brook Park on the list to attract companies that will be trying these types of vehicles. On a case by case the city would have the right to setup parameters of the locations, times and days of the traffic pattern. Asking Council not to tie the city's hands by not letting this move forward. Let's get Brook Park on the list and see what is presented and offered and then if the parameters are dangerous then the company cannot test in the location or time. Research shows that by the year 2035 there will be four and half million autonomous vehicles on the roads in the United States. By 2025 the global market for that will be over \$1 trillion-dollars; in five years, would like to see Brook Park have a slice of that pie. Another area of concern was with people being in the vehicles currently there is no completely autonomous vehicle on the road in the United States testing or otherwise; everyone has at least one person or two people in the vehicles in each vehicle.

Mr. Mencini stated to Mr. Poindexter it would be great if these were Ford vehicles being tested with Ford Motor in our city. What does this bring to Brook Park?

Mr. Poindexter responded anyone in the auto industry are researching two things with resources; one is electric vehicles and two is autonomous vehicles. Anything that is mobile i.e. luggage carts at the airport are being researched as autonomous vehicles. Ford, General Motors, Tesla, all big car companies, are doing testing. Even before any revenues Brook Park gets notoriety, would be pioneers, in this. There are not many cities involved in this currently in the northern part of Ohio. In my opinion, as the city tries to attract the businesses and residents of the future the city needs to be on the cutting-edge and thinks this puts us there. Even if just an idea the city gets notoriety out of this.

Mrs. Schmuck stated to Mr. Poindexter excited for DriveOhio to come into Brook Park my questions are. At last week's meeting there was mention of city streets that testing would be occurring on were those streets narrowed down?

Discussion: cont.

Mr. Poindexter responded no, there is no specific set of parameters to date. A company would have to come into the city and state they would like to test such vehicle on such street at such time. Then the city can say no we don't want the company to test that car in that location and suggest another location. Or if there is a company willing to test the city could suggest areas that are to be used at these times and dates. Company can then move forward or go back to the drawing board, as of right now everything is on the table.

Mrs. Schmuck continued reading the agreement and either side can opt-out at any time within 90 days of written notice, is that correct?

Mr. Poindexter concurred.

Mrs. Schmuck continued this program or any similar program, would this program run in other cities thinking along the lines of pros and cons, mainly con. Is anyone reviewing the issues that other cities had with this program? Such as, let's say, an increase in traffic jams on the city's end is there something that can make this program more successful? Let's say the traffic jams may have been an issue when it comes to an increase in traffic signals and the city could put DriveOhio in a more fluent area, on a fluent road. Is the city looking into anything like a con for that in other cities?

Mr. Poindexter responded DriveOhio has a lot of data on the areas they tested and are very forthcoming with their information. We could invite DriveOhio representatives to a future meeting to answer Council's concerns and also give the same presentation given to the Innovation & Technical committee. Reiterating this does not set any parameters of actual testing and the city has to approve everything DriveOhio does. Along with giving parameters to see if DriveOhio wants to go along with the testing based on those parameters, this is a mutual agreement between two different entities.

Mr. Salvatore stated would appreciate having the presentation do have some concerns with safety issues and want to make sure all those concerns are satisfied.

Mayor Gammella stated the city has been trying to get Regional Transit Authority (RTA) to run a bus from the rapid station back to the technology park. With new development perhaps on the Ford Motor property and development back in the technology park if there was a self-driving vehicle perhaps that could pave the way for a bus line eventually, this is entirely up to the city where to put this and think this is something that merits moving ahead.

Mr. Scott expressed concerns with being in joint partnership with DriveOhio who is responsible legally for any accidents, damages or loss of life. Would the city have joint responsibility or would DriveOhio?

Discussion: cont.

Motion by Mr. Poindexter, supported by Mr. Mencini, that item number two was discussed.

ROLL CALL: AYES: Poindexter, Mencini, Troyer, Salvatore, Scott, Schmuck, Orcutt
NAYS: None. The motion carried.

3. A RESOLUTION URGING AN INVESTIGATION BY THE CUYAHOGA BOARD OF ELECTIONS INTO HOW THE NOVEMBER 3, 2020 ELECTION WAS CONDUCTED IN THE CITY OF BROOK PARK, OHIO, AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

Mr. Troyer stated this legislation is self-explanatory with voters waiting four-hours to vote. The letter received from Board of Elections (BOE) was a nice gesture but still feel this legislation should be passed, delivered and have questions answered. This would facilitate the BOE to arrange for a date and time to speak to Council at a meeting.

Mr. Salvatore stated read the email sent and appears that the BOE wants to come to Brook Park to talk to Council; the biggest thing is to make sure this never happens again. In favor of having the BOE representatives come to a Zoom meeting for public dialogue to find out the next step. Don't think the Resolution is necessary just a phone call setting date and time would suffice.

Mayor Gammella stated the November election was a monster turnout the city had with 8,000 voters and thought the poll workers did an excellent job with the pandemic situation. The city cannot let this happen again and as the email stated voters may be able to go back to the west end fire station and possibly the new elementary school. The most important part of the letter is the last sentence that reads 'I look forward to setting up a meeting with you and other elected officials to discuss locations going forward. Concur with Mr. Salvatore the next step isn't the legislation but an invite the BOE to a meeting and go from there.

Mr. Mencini stated I brought this up at a previous meeting with three wards going to one building for a hot-contested Presidential elections. There were some errors made, the poll workers did a great job and Brook Park wasn't the only city having these problems. Would like to hear what the BOE representatives have to say to Council to see if this can be worked out so it never happens again. There was an article in the Plain Dealer on Sunday and not sure if Brook Park was mentioned.

Mr. Troyer stated the first thoughts on the letter was a bit of malarkey and doesn't answer all the questions I asked. The letter was based on the story from cleveland.com, wasn't based on getting to the bottom of what happened. I'm tired of things being blamed on COVID-19 there were a lot of mistakes and they really messed up and it cost Brook Park residents the ability to vote in the November

Discussion: cont.

election. Council's pleasure but I'm pushing this as far as it will go.

Mr. Scott concurred with Mayor Gammella and Councilmembers' Salvatore and Mencini and doesn't think a resolution is necessary at this point. If the BOE volunteers to speak to Council set the date and time, ask the questions and if the questions are not fulfilled then go back to the resolution.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, that item number three was discussed.

ROLL CALL: AYES: Poindexter, Schmuck, Scott, Orcutt, Troyer, Mencini, Salvatore
NAYS: None. The motion carried.

4. 2021 CAUCUS-COUNCIL MEETING SCHEDULE

Mr. Vecchio stated this schedule mirrors the 2020 meeting schedule.

Mr. Troyer stated still in favor of having two full Caucus meetings and two full Council meetings; four meetings a month.

Mr. Scott stated schedule is fine and work is getting done.

Mr. Poindexter concurred with Mr. Scott and stated this system works well and Council has the extra Tuesday to call a Special meeting if need be, or any day of the week.

Mr. Salvatore stated haven't changed position on this and believe Council should be meeting four times a month and never agreed with cutting schedule back; especially when looking at four to four ½ hour meetings. Especially with the current pandemic this forces Council to meet every week. Not in favor of this proposed schedule should be meeting every week as before.

Mr. Orcutt stated took the same stance since being on Council do believe having that extra meeting every month Council can get a lot more work done. It seems that the agenda is being crammed every week and Council is here four to five-hours with discussion. If Council had that extra day there could possibly be more discussions on other items as well i.e. flooding, roads, budget and what is going on with COVID-19 and the city's revenue stream. That could be done if that extra meeting was included and also summer recess is too large. Don't think Council should be taking off the entire month of July and three-quarters of August, never believed in that.

Mr. Vecchio stated point of information and talking about the number of meetings. So everyone is aware Council meets five times with two Caucus Prior to and Council meetings along with a regular scheduled Caucus meeting between those two Council

Discussion: cont.

meetings.

Mr. Orcutt clarified five times a month.

Mr. Vecchio responded Council has five meetings.

Mr. Orcutt clarified Council shows up three times a month.

Mr. Vecchio concurred meeting on three Tuesdays but having two Caucus Prior to work sessions, one regular Caucus and two Council meetings.

Mr. Mencini stated can see both sides and have feelings on this and doing quick math Council meets 52 times approximately. Sometimes the recess is needed to regroup especially around Home Days and the upcoming election.

Mrs. Schmuck is in favor of the schedule as is and special meetings can be called if necessary, everyone is willing to meet if there is a need for anything that arises.

Mr. Orcutt stated want to make sure this is clarified for the residents watching. Council meets three Tuesdays a month but out of 52 weeks Council gets together 31 times. In ten months Council meeting three times and summer recess Council meets one week. To say that special meetings can be called Council has struggled with that so if extra meetings are to be called Council has to make sure to get better with that.

Mr. Poindexter reiterated last year statements regarding this topic of discussion. There is more to being a Councilman than just coming to meetings, meetings are great and that's where Council gets business done. Council needs as much time to engage in the community if we can too; should be out in the neighborhoods, talking to residents and checking the roads, flooding issues and other things; that cannot be done at a Council meeting. That must be done outside of the Council meeting and having that fourth week gives more time to do that and summer session is a great time to do that because everyone is out in the community. Think the schedule is great and if there ever is a pressing issue nobody ever has had an issue calling a meeting, takes three Councilmembers, Council President or the Mayor.

Mr. Troyer stated the senior member (Mr. Salvatore) may want to speak on this also. This does cause problems because the intention of the Caucus Prior to meeting was to discuss items on the original Council meeting. What happens is since there is not Caucus meeting the fourth week a lot of items are thrown on the Caucus Prior to making for a long meeting. If there was a Caucus meeting next week a lot of items on tonight's Caucus Prior to agenda could have went to next week's Caucus meeting for discussion. Council's job is to legislate and the only time Council is actually doing

Discussion: cont.

our job is at a Council meeting.

Mr. Scott - No, no.

Mr. Poindexter - absolutely not.

Mr. Troyer - our job is to legislate and is what we do at these meetings.

Mr. Poindexter - Point of clarification.

Mr. Vecchio recognized.

Mr. Poindexter - Would like to know what item on this agenda could have been pushed to next week; everything on this agenda is time-sensitive and hoping to be dealt at the Council meeting following. Not sure what item could have been moved to the Caucus if there were one scheduled.

Mr. Troyer responded numbers two, three, four and five.

Mr. Vecchio ended debate.

Mr. Salvatore stated would like to hold off for more dialogue.

Motion by Mr. Poindexter, supported by Mrs. Schmuck, to place on the Council agenda immediately following under verbal approval.

ROLL CALL: AYES: Poindexter, Schmuck, Scott, Mencini

NAYS: Orcutt, Troyer, Salvatore. The motion carried with a vote of 4-3.

Mr. Vecchio stated this will appear under J-1.

FINANCE COMMITTEE - CHAIRMAN, SCOTT:

1. ORDINANCE NO. 8863-2002, AUTHORIZING THE MAYOR TO WORK WITH THE CUYAHOGA COUNTY TREASURER TO ISSUE TAX CREDITS TO HOMEOWNERS' AND DECLARING AN EMERGENCY. Introduced by Councilmembers Patten and Mooney. **Note:** Per Section 2 of legislation, City Council shall review on an annual basis.

Mr. Scott stated this is required to appear annually for review before Council per section 2 of the legislation adopted in the year 2002. My suggestion would be to place back in committee because don't like getting rid of a possibility for the future.

Mr. Mencini concurred with Mr. Scott and stated Council probably won't be able to give for a while but if the economic climate changes in the future this would be

Finance Committee - Chairman, Scott: cont.

something for the residents.

Mr. Salvatore stated as an original sponsor would not want to see this be defeated.

Mr. Poindexter stated since being on Council have never seen this implemented? Is the figure known as to how much this would cost?

Mr. Salvatore continued at \$250.00 a household the total would be approximately \$1.8 million-dollars.

Mr. Troyer clarified by placing this back in committee is a vote to not give out the \$250.00 for this year.

Mr. Scott concurred.

Mr. Troyer stated hope we never get to that point to not give it and kind of torn that it has to be given because that means the city over-taxed and hope that never happens. The residents can keep their money all year long and the city has enough money to do what is needed. The city has that kind of money to give out but needs those monies for flooding, roads and other items.

Mr. Orcutt stated this is great when it's available to the residents that the city can distribute that cash but need to hold on to those monies.

Mayor Gammella concurred with Council to place back in committee.

Motion by Mr. Salvatore, supported by Mr. Poindexter, to place back in committee.
ROLL CALL: AYES: Salvatore, Poindexter, Mencini, Troyer, Orcutt, Schmuck, Scott
NAYS: None. The motion carried.

There being no further business coming before this meeting a **motion** by Mrs. Schmuck, supported by Mr. Mencini, to adjourn.

ROLL CALL: AYES: Schmuck, Mencini, Troyer, Poindexter, Salvatore, Scott, Orcutt
NAYS: None.

Council President Vecchio declared this meeting adjourned at 9:05 p.m.

Motion by Mr. Salvatore, supported by Mrs. Schmuck, to take a five-minute recess prior to Council meeting.

ROLL CALL: AYES: Salvatore, Schmuck, Scott, Orcutt, Troyer, Mencini, Poindexter
NAYS: None. The motion carried.

CAUCUS PRIOR TO

NOVEMBER 17, 2020

RESPECTFULLY SUBMITTED *Michelle Blazak*
Michelle Blazak
Clerk of Council

APPROVED *January 19, 2021*

THESE MEETING MINUTES APPROVED BY BROOK PARK CITY COUNCIL ARE A SYNOPSIS, NOT TRANSCRIBED IN THEIR ENTIRETY, ALTHOUGH ACCURATE.

6,584 words

