

**ITEMS TO BE CONSIDERED
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, AUGUST 24, 2021**

The meeting was called to order by Council President Vecchio at 7:00 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 Mayor Gammella, Law Director Horvath, Finance Director Cin Service Director Garner and Economic Development Commissioner Adams.

DISCUSSION:

1. VIASOUND - DIAGNOSTICS AND SERVICE FEE FOR FAULTY CAMERA IN THE COUNCIL CHAMBERS - \$225.00.
2. VIASOUND - REPLACEMENT OF FAULTY CAMERA IN THE COUNCIL CHAMBERS - \$320.00.

Mr. Vecchio stated the two (2) invoices combined total \$545.00 combined for Council approval for diagnostic and replacement of a faulty camera.

Mr. Mencini stated these cameras were installed in 2018 and were not used obviously during the holding of Zoom meetings.

Mr. Vecchio stated the podium camera was inoperable meaning when someone was speaking from the podium they could not be seen. The second invoice in the amount of \$320.00 is for replacement of the video decoder and the \$45.00 charge is for the decoder to be sent in in with the rest of the cost for installation.

Mr. Mencini continued there was no recourse from the company that were previously installed?

Mr. Salvatore commented taking both invoices separately would be in the Council President ability to pay.

Mr. Vecchio stated Finance Director Cingle felt it best to bring to Council as one. Mr. Salvatore asked Mr. Cingle why do you want these together?

Mr. Cingle responded due to being the same camera.

Mr. Orcutt stated the first invoice was for troubleshooting the video decoder that was bad. What is the warranty with the recent work completed?

Mr. Vecchio responded if I'm not mistaken 12 months.

Discussion: cont.

Mr. Troyer stated the switching from the dais to the podium worked at one time, correct?

Mr. Vecchio responded yes, the clerk could hit the switch from the dais to the podium.

Mr. Troyer continued these problems occurred after an initial few years of use?

Mr. Vecchio concurred.

Mr. Troyer continued my concern is that we get a warranty based on usage, if all possible, rather than timeframe and concur with Mr. Mencini that we didn't get our monies worth.

Mr. Vecchio stated we are getting a warranty on the part itself there is no warranty on the installation charge.

Motion by Mr. Poindexter, supported by Mr. Scott, to place on the Council agenda immediately following under Verbal Approval.

FINANCE COMMITTEE - CHAIRMAN, SCOTT:

1. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LISTING AGREEMENT WITH CUSHMAN & WAKEFIELD/CRESCO REAL ESTATE FOR THE MARKETING AND SALE OF CITY-OWNED PROPERTY LOCATED AT 14100 PARKMAN BLVD. AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella. **In attendance:** Nathan Kelly and Jason Laver.

Mr. Adams stated moving forward after the RFP (Request for Proposal) legislation passed by Council to seek a listing company to market the former Brookview School property. Cresco's proposal was leaps and bounds above anything else as well as the west-end properties for marketing these types of situation.

Nathan Kelly
3 Summit Park Drive
Independence, OH

Mr. Kelly stated we responded to the RFP for Parkman Blvd. property and excited to already been working with the city on a couple of other parcels. For this one we put together a little bit of a different team, one that has a retail specialty and think this is probably a very sensitive property because of its private use, its proximity to residential and the great potential that it has on

Finance Committee - Chairman, Scott: cont.

Snow Road. Our company is so pleased and ambitious to be able to work with the city already and continue to work with the city with this parcel. We have already started some of the work, at our risk, to be able to hit the ground running. We will be featuring the entire portfolio of the city to all of our clients at the beginning of September; 7,000 people that are in the real estate business will receive these potential investments. We have already started an offering memorandum in draft form to start talking about this property to be able to syndicate to our group of investors, both in the market familiar with the territory and also from outside the market to introduce new investment to new partners. Once they get a foothold in Brook Park they're more likely to keep investing nearby. The good news is the city is already getting tremendous attention for some very key properties the city has that are getting developed. We're as ambitious as the city is about the likelihood that this is going to transact with a great outcome and looking forward to continue to work with the city.

Mr. Mencini thanked Mr. Kelly and Mr. Laver for coming. You mentioned there is great interest and receiving good acknowledgement from particulars that are liking what they see.

Mr. Kelly responded this property hasn't been marketed on the city's behalf because we don't have permission. We have started with the other parcels that we have been contracted on behalf of the city. We know that the city, in general, is getting a lot of attention because of the work we're already doing and current events that we see every day on the Ford Motor site.

Mr. Mencini stated to hear it said that with the other projects the city is getting great interest is very good to hear.

Mr. Orcutt thanked Mr. Kelly and Mr. Laver for coming and asked how long is the agreement that you have with city for?

Mr. Kelly responded I believe the engagement allows us to market the property for two (2) years and we want to work with people that want to work with us. If we go forward with an agreement, after Council approves to enter into an agreement, typically what we will do with a client. Is allow for separation if there is a level to satisfaction or something like that the agreement can be terminated with 30 days' notice.

Mr. Orcutt continued glad to hear that your company has already started working on this, sounds like you are a very ambitious group. The 15-year tax abatement

Finance Committee - Chairman, Scott: cont.

is that something that you have worked with City Hall to obtain to be able to use that a tool?

Mr. Kelly responded one of the things that was great about this project is we were able to move quickly because the RFP that went out to other firms, including us. Included all the information needed about a property. Typically, an engagement begins with our company doing research and learning about the value of the property and what assets are available. Being able to market the 15-year tax abatement reinvestment area with confidence is something that helps our company because of the value of the property and also know everything about the property including environmental issues, boundaries and deeding. All those items were already in place which helps us move quickly.

Mr. Troyer welcomed and thanked Mr. Kelly and Mr. Laver for coming, talking about the CRA (Community Reinvestment Area) and the 15-year abatement is basically one in the same.

Mr. Kelly concurred.

Mr. Troyer asked for any positives on the properties already listed and how those properties are going which would be a great base if we want to give you more properties to market.

Mr. Kelly stated little bit uncomfortable talking about real-estate leads and opportunities outside of Executive Sessions; happy to provide a written update.

Mr. Troyer suggested going into executive session for discussion.

Mr. Kelly suggested having Mr. Laver speak in generalities that have dealt with some of the potential leads to see if that meets expectations.

**Jason Laver
Cresco/Cushman-Wakefield
3 Summit Park
Independence, OH**

Mr. Laver stated we have received some good fraction on the property from some well-known developers interested in developing the property. They have actually put together somewhat of a team, if you will, to address wetlands survey, construction and are doing some due diligence on the property and spending some of their own money to look into the future development of that property.

Finance Committee - Chairman, Scott: cont.

As mentioned these reports are in executive session because we don't like to give out names of who we're dealing with, for obvious reasons. We have received some very positive feedback from this team to move forward in looking at future development.

Mr. Troyer stated I'm a hands-on written type of person and not a fan of verbal expressions or commitments. To Mayor Gammella will an executive session be forthcoming to see how things are going?

Mayor Gammella responded when we have something concrete.

Mr. Troyer commented there is nothing concrete.

Mr. Laver stated no, if there was something concrete we would have an offer before Council. Our process moving forward is first identifying someone who has the capability and interest in developing the property. We have a well-known group of Northeast Ohio Real Estate professional names to form a team that are looking at our parcel to develop into office/warehouse types of products. They are doing marketing studies, engineering studies and spending their capital and time to vet-out these parcels as redevelopment opportunities; to create jobs for the city. We've seen a development team for the former Ford Motor property that was more weeks in the making. To get to a point where there was a formal announcement made to the market place of the three developers interested in that site. We're only a couple of months into the city-owned land and we have a team that is looking into the due diligence of the site and spending their money to see if this is development project they want to undertake; give an offer and present plans, it's not a 30-day courtship. This is three (3) to nine (9) months and the city-site has all of the difficult hurdles to overcome from a development standpoint. Number one being the wetlands that is not a process that happens overnight. There are wetland projects that happen over a course of a couple of years and definitely something that even though the city has undertaken that process to advance along it takes a developer to take to the final stages.

Mr. Troyer stated this is the same deal whether lease or sale is a nine-percent (9%) how does that work on a lease; per month's payment that goes on for eternity?

Mr. Laver responded I don't actually see this as, most likely, for a lease type of scenario on the commission side. Because most likely someone that would lease i.e. the end-user is not going to redevelop and undertake that building themselves.

Finance Committee - Chairman, Scott: cont.

It's going to involve a developer that is going to put money in to redevelop the school building for an alternative use that would ideally create jobs for the city.

Mr. Poindexter stated Mr. Kelly mentioned that you're going to propose the sale of this property as retail parcel.

Mr. Laver responded we actually see this parcel what I would deem to be multi-use. With the 1,100+ acres on Snow Road, that's one of the attributes, and the residents to south of the site that we want to protect. We see the ideal way to protect the residents is to have some sort of a residential buffer in between the existing residents and new property; falling in line with office medical being ideal. There is a lot of potential for the developers to open that up and bring in a clear palette look.

Mr. Poindexter continued fan of mixed-use think it is its own little economy on one property and helps generate revenue for itself to keep the building operational. Some areas might slow down but a mixed-use building and areas typically drive by generating their own revenue.

Mr. Laver stated with retail it will be very vibrant to the success of those operations and see the ability with that area.

Mr. Mencini stated on the summary of work statement it says heavily traveled corridor. You made a great point about the front footage, that's excellent, and would like to see medical there also and agree with Mr. Poindexter on the mixed-use being good too. What are these companies seeing for that section?

Mr. Laver responded it's a fairly large site being 10+ acres on Snow Road and in real estate there will always have some economies upscale. To take one (1), two (2) and five (5) acre parcel it takes just as much manpower to develop a parcel of that size and would go against the city's return; because it would be relatively the same on a ten (10) acre parcel. The other thing is communities like Brook Park who have mature housing stock the home builders are always looking into enter into these pocket pieces of real estate to build new homes. On the residential side I think there will be a lot of interest in the community for the new home builders to show interest. We're looking to find some adaptive reuse of that building by maybe prune some of it and demo some of it but not all of it, due to the high cost of anyone trying to redevelop the property. Ideally, we will find will find a use that fits within that and do think there are some retail uses and office uses that would gravitate to a bigger new development.

Finance Committee - Chairman, Scott: cont.

Mr. Troyer stated touching on the mixed-use and have said for a long time that the city needs housing to attract people making good salaries, working from home.

Mr. Poindexter asked Mayor Gammella if an executive session could be scheduled for September 7th to get the other information.

Mayor Gammella responded all we're asking for is to give Cresco permission to list the property; then when something comes up an executive session will be called.

Mr. Salvatore stated looking for a two-year agreement would you be opposed to a one-year agreement to get started, can always be extended.

Mr. Kelly responded the preference is a two-year agreement. When Mr. Laver spoke earlier about the gestation period of the deal we don't look at one prospect and then try to run them through to make it happen. We identify one (1) get them cued-up try to get them working and come up with a plan B or another option. We try to build what's called a pipeline to fill up as much as possible up top and then slowly wind down to the winner. We build a lot of expectation and a lot of opportunity. The chances are the first deal might not go well even though those people will be investing due diligence with their own engineers, architects and certainly their time. It's likely that a deal would get approved not to mention the decision-making at the city level requires transparency, opportunity for public deliberation and all those things in complication and time to a transaction. For those reasons we think it makes sense to set expectations that will take longer than a year. My interest is in something that is fast, has excellent outcome for the residents, delivers the best possible economic impact. But also want to set expectations realistically that we might be here in the beginning of 2023 putting a bow on the final deal; for that reason, our preference is a longer term deal. However, we want to work with people that want to work with us and if we're not meeting their expectations then fire us by giving us 30-day notice. As long as the people we brought to you and delve interest in don't talk to them but if you do continue to talk to them we're compensated then we're fine with that; a two-year deal with a 30-day out I think is very fair. Also, want to point out that we only get compensated if you have success; until your expectations are met we are not paid. Even if we bring Apple headquarters and IBM next door if that doesn't meet the city's expectations then we go onto the third option. We want something fast

Finance Committee - Chairman, Scott: cont.

because we're already putting in our time, already have staff on it and already producing materials.

Mr. Salvatore asked you would walk away from this with only a one-year deal?

Mr. Kelly responded we wouldn't walk away from it but wouldn't be happy about it.

Mr. Laver stated we are going to present great marketing materials that the city can do with whatever in the future and will step away from the contract if that doesn't happen. That was a large concession made with having the long-term agreement.

Mr. Scott reiterated the city has a 30-day written notice for cancellation.

Mr. Troyer stated would you say this property has a better chance or not than the other properties listed for us?

Mr. Kelly responded they are very different properties, different audiences and different approach to marketing. I think there will be more diversity of interest and saying more to more stuff. I think the window is wider, the strike zone is not more narrow and they're all going to move; but I think this one will gather more interest and conversations about.

Motion by Mr. Mencini, supported by Mr. Poindexter, to place on the Council agenda immediately following under letter M.

Mr. Salvatore commented the 30-day written cancellation notice will be in the contract before Council moves forward.

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

Mr. Vecchio stated that will be Ordinance No. 11211-2021.

2. AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE PURCHASE OF PERMANENT PARCEL NO. 343-15-023 AND DECLARING AN EMERGENCY. Introduced by Mayor Gammella.
In attendance: Economic Development Commissioner Adams.

Finance Committee - Chairman, Scott: cont.

Mr. Adams stated this piece of legislation deals with the purchase of the property located at 16644 Snow Road, Super 8 Hotel. Mr. Adams clarified that Council received a copy of two (2) documents received this afternoon. The sale price would be \$1,760,000.00 with components of \$1,550,000.00 in cash and \$210,000.00 in tax donation totaling \$1,760,000.00. This currently set up for a 90-day close but can be accelerated to a 60-day close, if all parties agree. At the time of close the city takes possession and sent out quotes for demolition of the property. With the asbestos survey that would be required in Phase One (1) prior to demolition comes in at approximately \$260,000.00; by building in the \$210,000.00 tax donation eats up the \$210,000.00 of that \$260,000.00. The city is in a good position if Council wants to move forward for municipal use or for sale, the city should be in a good position to recoup the bulk of those funds. We are aware of the costs this building has brought to this community both in overtime, nuisance situations and police actions and feel as a resident that this is necessary to move forward with the legislation. In the short-term rather than long-term there is an inside chance per my discussion with the demolition company that if everything is completed in a timely fashion the demolition could be completed by Christmas.

Mr. Salvatore stated with the two (2) documents received who did the estimate?

Mr. Adams responded the title company, Maximum Title, who also did a lot of preliminary work on this over the last several years to work towards this purchase. Maximum Title will also handle the escrow with the funds will be kept in an individual escrow account. The law director and I discussed that at great length and that this have its own account fully backed by the federal government through the bank. This appraisal is an ongoing business appraisal that takes into consideration the value of the land, value of building and the value of the business. Considering that this is an operational hotel that evaluation had to be included after discussions with the seller. This seller wanted \$1,850,000.00 cash and the city came up with a hybrid situation, speaking with the law and finance directors, about utilizing an in the Internal Revenue Code allowing the acceptance of donations. By doing so the owner of the property felt that the \$1,850,000.00 could be recouped based on the \$.60 per \$1.00 value that will be pulled with the \$210,000.00 donation. That reduces the value of the property to the city can immediately recognize the \$210,000.00 in equity based on sale price of evaluation.

Finance Committee - Chairman, Scott: cont.

Mr. Salvatore asked Mr. Cingle what kind of revenue will the city be foregoing by moving this? Looking at page nine (9) - room revenue shows a \$1.5 million-dollars is that accurate?

Mr. Adams interjected that amount is generated on a 100% capacity use of the building which currently is not.

Mr. Salvatore continued that amount is established as a result of 100% occupancy?

Mr. Adams concurred, that's the way it had to be looked at because the rooms were fine it was the outside that's being held back for permits. The third level and half of the bottom level is not being used properly currently.

Mr. Cingle stated just received the appraisal a few minutes ago and would like to take time to work with Mr. Adams to work through the approach for a clearer understanding on how this was appraised and compare to actual figures from the tax department.

Mr. Mencini commented according to the Ward 3 Councilmember and many Ward 3 residents this hotel has been nothing but a headache with citations, etc. This looks like a pretty good deal with potential to do something.

Mr. Orcutt stated this is a very important piece of legislation for the Ward 3 residents and also on this dais with the many discussions. The Mayor and I have had many discussions about this and definitely the residents who were dealing

with the people living at this hotel. With anything from prostitution, people released from the county jails and predators. There have been heated discussions between the Mayor and I on this dais and know some of the police department employees have been injured on the job at this location. With receiving documentation this evening I think Council should take some time to review this due to spending quite a bit of the taxpayers' dollars, this could be a very good thing for the community if done correctly.

Mr. Poindexter stated to Mr. Cingle earlier this year there was approximately \$2 million dollars in the Economic Development Fund?

Mr. Cingle responded there is monies in the economic development fund.

Mayor Gammella commented \$4 million-dollars.

Finance Committee - Chairman, Scott: cont.

Mr. Poindexter continued with the agreement agreed upon the city should fall well under what was appropriated for this project? Less than expected and will solve a big nuisance.

Mr. Troyer thanked Mr. Adams for the earlier discussion and appreciates receiving this information. To Mayor Gammella what are the plans for this property if obtained?

Mayor Gammella responded if you recall there was discussion before getting to this point on purchasing this property with two (2) options. Not sure I want to make those options public, at this time, but both are very good options and think the consensus was to go ahead and purchase the property. This is a valuable piece of property due to what is going on at the former Ford Motor property. The city can use this for municipal purposes or demolish and put up for a medical center or something in conjunction it is the city's choice since we own the property.

Mr. Troyer stated think it is a good time to do this and would like to have a commitment from the Mayor that this will go up for sale, for the most profit. My concern, again, as said in 2018 and 2019 a centrally located fire station and this being where that might be. This is not acceptable to me and the west-end residents to have one (1) fire station. This city can't have a centrally located fire station to protect all residents with fire and ambulance services.

Mayor Gammella stated this has nothing to do with the fire station on the west-end and understand your point as a Councilmember. As it's known that is an isolated area and you and I discussed last night about the train tracks being blocked; which makes it more important to have that west-end fire station. This is about a piece of property exiting I-71 that people will see and with the former Ford development this property can be developed and run right down the road to Brookgate Shopping Center, to rejuvenate as well. For one year this property will not be put up and that is Council's decision, not mine, but the main thing is to get this building torn down and get a good solid business there for this community.

Mr. Vecchio thanked Mr. Adams and Mayor Gammella for their hard work on this. My first question to you is the city under a timeframe to lock this deal in?

Finance Committee - Chairman, Scott: cont.

Mr. Adams responded it's an unwritten timeframe and were looking for some conclusion by mid-September. That's when the negotiation came in from 90-days to 60-days because I'm still tracking demolition companies.

Mr. Vecchio asked Mr. Adams is there a possibility of any grants from the county or otherwise to raise that building?

Mr. Adams responded unfortunately no, the county budget went through a changeup last year and cities to the east were able to persuade the Cuyahoga County Council. To move the lion's share of commercial dollars into the razing of residential homes to rid the blighted areas. Speaking with County Councilman Miller I was going to ask for \$250,000.00 and were successful in getting \$200,000.00 for taking down the former municipal center, used approximately \$180,000.00. There are no grants available for this timeframe for the next annual budget. The seller wants to help the city solve the issues at this hotel and wants to leave the community on a positive note and hopes that this deal will do the right thing and I want to help him do that with this transaction.

Mr. Vecchio continued with the purchase of \$1.55 million-dollars and the city's annual budget for the safety forces is \$7 million-dollars with the police being there how many times through the course of the year.

Mr. Adams interjected it's always been a fear with fire and police officers that injuries can happen and if the city has a chance to end that problem that chance is now. The building is a stick structure on top of one another and the fire alarm is currently in compliance but it is not known for how much longer.

Mr. Vecchio stated the city's investment in taking over this property far outweighs the losses that could or will be suffered in some of the bed-tax loss and things of that nature; this purchase far outweighs any of that.

Mr. Scott stated this is something that has to be moved forward and if not mistaken in 2018 there was \$2.8+ million-dollars set aside in economic development for the purpose of purchasing. If not mistaken, this hotel went from \$1.8 million-dollars up to \$2.3 million-dollars asking price, the purchase of this property would benefit the city two-fold.

Mr. Adams stated looking at the evaluations on page nine (9) there are comparable sale values of different properties i.e. Red Roof Inn on Bagley in

Finance Committee - Chairman, Scott: cont.

Middleburg Hts. is at \$2.7 million-dollars. LaQuinta in different cities is at \$4.8 million-dollars and those numbers are real and there are two (2) properties that out value this one (1) substantially. We're at a position to take care of not only a nuisance but a problem that is only going to get worse not better; the city had the same problem a few years back with the adult entertainment businesses on Brookpark Road, and paid prices, at that time.

Motion by Mr. Poindexter, supported by Mr. Mencini, to place on the Council agenda immediately following under letter M.

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

NAYS: None. The motion carried.

Mr. Vecchio stated this will appear as Ordinance No. 11212-2021.

LEGISLATIVE COMMITTEE - CHAIRMAN, MENCINI:

1. AN ORDINANCE ENACTING CHAPTER 556 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'PROHIBITION OF CULTIVATION, PROCESSING OR RETAIL DISPENSARIES OF MEDICAL MARIJUANA' AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

Mr. Troyer stated this a stop-gap and read the 4th Whereas 'this is a temporary measure until Council can promulgate its own regulations for the safe dispensing of medical marijuana. There will be a piece of legislation, sponsored by myself and Councilman Poindexter, to regulate the sale of medical marijuana dispensaries. This stop-gap is legal and enforceable under Ohio law legalizing medical marijuana that gives the authority to ban for now.

Mr. Poindexter expressed once the piece of legislation is presented tonight this may be a moot-point. Would be more comfortable to put this in committee until we see what happens with that legislation; the moratorium is still in place for a few more weeks.

Mr. Troyer commented I believe the moratorium is suspect and this piece is iron-clad so nothing can happen or someone can't sneak in until Council promulgates their rules. Some people would like Council to have public hearings and take a little time passing the legislation to make the dispensaries to regulate them in Brook Park. Council also may have to consider at some point that these may become recreational marijuana dispensaries.

Legislative Committee - Chairman, Mencini: cont.

Mr. Scott stated back in 2016 Council passed Resolution No. 33-2016 that calls for discussions with the law department, Council and the Planning Commission before moving forward onto passing permanent medical marijuana legislation. I agree with Mr. Troyer that this should be passed to get the ban in there because we may not get the people to come and speak on this by September 21st. Let's pass this and then have the meetings that will probably take more than three (3) weeks.

Mr. Orcutt stated to Mr. Troyer as Mr. Poindexter stated place this in committee and introduce a new piece of legislation?

Mr. Troyer responded no, would like this piece of legislation to be passed, the sooner the better. Then will also be introducing legislation to regulate the dispensaries this evening. Council can take the time to have the meetings, changes, adjustments to promulgate those rules. Most of this verbiage came from what the City of Lakewood has. I looked at the Cities of Lakewood, Euclid, Garfield Hts., that legalized everything from growing, processing and selling. The Cities of Aurora and Brooklyn banned outright everything, not a moratorium a ban. State law allows cities to do pretty much anything the cities want from banning to making it legal under state guidelines; and the city is allowed to add own guidelines to fit our city. Want to take the time to get that right and talk to the residents' but right now I think there should be an iron-clad ban so nobody sneaks in and goes somewhere the city doesn't want them to be.

Mr. Orcutt stated publicly as representative to the Planning Commission I am willing to sit down with you and look at that, still want to extend. As you said we do have residents' that feel strongly about this that we represent and have to take that into consideration; as well as the people that are on the opposite sides. As Mr. Scott stated while doing that we move quickly and bring in the pro & con people for discussion as well as the Mayor, building commissioner, law director and whoever to get all the information to do the right thing for the community.

Mr. Salvatore asked to Law Director Horvath do you know the date of the moratorium expiration?

Mr. Vecchio and Scott mentioned September 21st.

Legislative Committee - Chairman, Mencini: cont.

Mr. Salvatore continued would behoove Council to pass this legislation and begin having committee meetings for the pros & cons as well as the residents being able to speak.

Mr. Poindexter expressed the purpose of the moratorium was to have those meetings, do the necessary research and here we are three (3) years later still having a moratorium. If the prohibition is put in with legislation that is being introduced tonight, I don't want to see that legislation sit in committee and this prohibition last 20 years. This is a legitimate business and they have a right to do business in the city and don't want to see residents spending money in other cities when it can be spent in Brook Park.

Mr. Vecchio stated since 2016 when first brought up there has been 16 different Members of Council on the dais since brought forward. Through those times until recently the only person that has really done anything with this is Mr. Scott bringing it forward a couple of different times. We have gained traction here the last few weeks and Mr. Troyer is working diligently along with Mr. Poindexter and applaud both with what is being done. But, how it's laid out and what everybody's intent has not been made yet with just under 19,000 residents in the city covering just over seven (7) square miles. There is talk about public hearings regarding this, will have pros & cons, so there is a whole host of things that need to be done with this. Think enacting this legislation tonight will be the best thing for the city.

Mr. Mencini stated there will be people coming to a meeting in favor and sole heartedly against this. They may put on next year's ballot for recreational marijuana and my personal belief in time will be legalized. At a families helping families meeting held there were people in favor and against marijuana. Need to be careful on what and how and like what is being brought forward and very steadfast.

Mr. Troyer stated this is important to give us a baseline that is iron-clad that nothing will sneak in. The resolution from 2017 was just that a resolution and not necessarily something that Council has to follow through with now. But, when people come up and want to see this it's not a bad idea to do it. We don't have to go to zoning or planning that's what the moratorium was for. If that's what Council wants to do but there is already legislation and that doesn't mean, there can't be public hearings. Doesn't have to be done with planning & zoning

Legislative Committee - Chairman, Mencini: cont.

Council just needs to have their own public hearings. The financial side, the way this is written, is \$25,000.00 a year with the possibility that may be shot-down later, at some point. The faster this gets done the faster the possibility of getting someone in here and getting that money or nobody may want to come here.

Mr. Poindexter stated a few points, this has nothing to do with recreational marijuana. If the state legalizes recreational marijuana that will be a whole set of research needed to be done; not sure if I would be for recreational marijuana in Brook Park. This legislation in front of Council deals with medical marijuana for a person that has some type of medical issue and is entirely different from recreational marijuana. I don't think a prohibition should be put on it and won't vote for the legislation in front of Council tonight, I will suspend if Council's wants but won't vote in favor.

Mr. Troyer stated again, I'm for promulgating rules and allowing dispensaries in Brook Park for medical marijuana. The city needs iron-clad legislation so nobodysneaks in and the reason this was brought forward.

Motion by Mr. Troyer, supported by Mr. Scott, to place on the Council agenda immediately following under letter M.

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

Mr. Vecchio stated that will appear under M-3 as Ordinance No. 11213-2021.

PLANNING COMMITTEE - CHAIRMAN, ORCUTT:

1. REQUEST APPROVAL FOR A STORM WATER MANAGEMENT AND ACCESS EASEMENT AGREEMENT BY AND BETWEEN CORRIGAN WORLDWIDE PROPERTIES LLC (GRANTOR) AND THE CITY OF BROOK PARK (GRANTEE) AT 13900 KEYSTONE PARKWAY CORRIGAN WORLDWIDE PROPERTIES LLC' LOCATED IN THE US-A ZONE. Received from the Planning Commission on August 3, 2021.

Mr. Scott clarified with Mr. Orcutt that this was passed by the Planning commission unanimously.

Planning Committee - Chairman, Orcutt:

Mr. Orcutt concurred and commented with no issues. This is an access for maintenance purposes for storm water management.

Mr. Mencini stated this is a step moving forward for what the city needs to do going forward.

Motion by Mr. Troyer, supported by Mrs. Schmuck, to have legislation drafted and placed on the September 7th Council agenda.

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

2. REQUEST PROJECT AND AESTHETIC APPROVAL FOR THE CONSTRUCTION OF AN AMPHITHEATER STRUCTURE ON THE CITY OF BROOK PARK PROPERTY (PPN: 343-16-001A) LOCATED AT 6161 ENGLE ROAD IN THE MUNICIPAL AND BOARD OF EDUCATION ZONE. Received from the Planning Commission on August 12, 2021.

Mr. Scott asked Mr. Orcutt if there were any issues with the Planning Commission?

Mr. Orcutt responded no, there were several very good questions asked with great discussions and the commission passed unanimously.

Mr. Mencini stated this will be in Ward 2 and for discussion purposes after being built will be maintained and not used for people to linger or hang out. A lot of work was put in this and some residents on Engle Road and Engle Court that weren't thrilled with this.

Mr. Orcutt stated there was a lot of discussion on this and by formality this brought back to Planning Commission for their approval, as well, and that is why it's in front of Council.

Motion by Mr. Troyer, supported by Mr. Poindexter, to have proper legislation drafted and placed on the September 7th Council agenda:

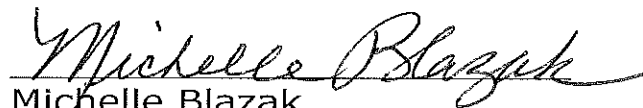
ROLL CALL: AYES: Troyer, Poindexter, Mencini, Salvatore, Scott, Schmuck, Orcutt
NAYS: None. The motion carried.

There being no further business to come before this meeting a motion by Mr. Mencini, supported by Mrs. Schmuck, to adjourn with a 10-minute recess.

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

Council President Vecchio declared this meeting adjourned at 8:34 p.m.

RESPECTFULLY SUBMITTED:



Michelle Blazak
Clerk of Council



APPROVED:

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

6,427 words