

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
TO BE HELD ON TUESDAY, DECEMBER 12, 2023
7:00 P.M.**

I. ROLL CALL OF MEMBERS:

II. PLEDGE OF ALLEGIANCE:

**III. APPROVAL OF MINUTES OF PRECEDING MEETINGS
REGULAR CAUCUS MEETING MINUTES HELD ON NOVEMBER 14, 2023.**

IV. DISCUSSION:

1. ORDINANCE 11373-2023

AN ORDINANCE ENACTING CHAPTER 719 OF THE BROOK PARK
CODIFIED ORDINANCES ENTITLED 'ADULT USE CANNABIS
OPERATIONS', AND DECLARING AN EMERGENCY. Introduced by
Councilman Troyer.

ADJOURNMENT

POSTED 12/8/2023

**REGULAR CAUCUS MEETING
OF THE COUNCIL OF THE CITY OF BROOK PARK, OHIO
HELD ON TUESDAY, DECEMBER 12, 2023**

The meeting was called to order by Council President Vecchio called the meeting to order at 7:00 p.m., the clerk called the roll and the following Members of Council answered:

TROYER, MENCINI, ROBERTS, SCOTT, POINDEXTER, SALVATORE

Also in attendance were Mayor Orcutt, Law Director Horvath, Finance Director McGann and Safety Director Sensel. Councilwoman Coyne excused.

APPROVAL OF MINUTES OF PRECEDING MEETINGS:

1. REGULAR CAUCUS MEETING MINUTES HELD ON NOVEMBER 14, 2023.

Motion by Mr. Mencini, supported by Mr. Roberts, to approve as printed.

ROLL CALL: AYES: Mencini, Roberts, Poindexter, Salvatore, Coyne, Scott

NAYS: Troyer.

DISCUSSION:

1. ORDINANCE NO. 11373-2023

AN ORDINANCE ENACTING CHAPTER 719 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED 'ADULT USE CANNABIS OPERATIONS' AND DECLARING AN EMERGENCY. Introduced by Councilman Troyer.

Mr. Poindexter stated to Mayor Orcutt is this the one you vetoed?

Mayor Orcutt responded have not vetoed anything yet and stated as the conversation and legislation discussed and adopted last week the understanding is that everyone was making sure the city was in a good position. As passed on November 7th by the electors it states that the municipality cannot add a tax to this. With that said the plan is to veto the legislation and will be sending a letter to the Council Clerk.

Mr. Poindexter stated speaking with the law director last Thursday thought it was going in that direction. That was the purpose of Councilmembers Troyer, Coyne and myself called for a special meeting. Because, if this was not passed in a timely manner the city would be open and wanted that special meeting to introduced the original piece. During my conversation with the law director she expressed to me that the zoning was in Chapter 1127 so the urgency wasn't that dire, that is where the debacle of last Friday came into play. In our desire to correct that we may have jumped the gun too soon. There was no intent to defraud or mislead anybody or any kind of conspiracy to forge anything it was literally same document from last Tuesday's meeting and moving forward think it's very important to adopt Chapter 719. Made the amendment to include the fees was out of what the state was doing by basically saying none of the taxes collected

Discussion: cont.

would go to host cities i.e. Brook Park. There's been a lot of talk to generate revenues by raising income tax, totally against; so this would be one of them. Must wait for the veto to remove the fees that were put into the legislation. Not sure where this is at with the state due to them going back and forth. Hopefully, when all said and done some of those funds will be reciprocated back to the host city.

Mr. Troyer asked Mayor Orcutt will you sign a piece that doesn't have the fee amendment?

Mayor Orcutt responded what else was in there besides the fees and think what needs to be looked at is what agency is distributing medical marijuana. Suggest getting around the conference table with the law director to make sure all the parameters are there.

Mr. Troyer reiterated to Mayor Orcutt you are open to sign a cleaned up piece of legislation?

Mayor Orcutt responded as long as the city is protected. There are a lot of cities that are putting a moratorium on this until summer. To Mr. Poindexter's point if an adjacent city does not have taxes or assessments they would have better chance of getting the income tax and jobs.

Mr. Troyer continued smoke shops are legal businesses and should do what the constituents want by having recreational and medical marijuana. We want to have the best possible revenue and also need to rework the medical marijuana legislation, fees too high. To wait and not have a Chapter 719 need to have a solid Chapter 719 that everyone is happy with. Also, need to look at cultivating due to growing right across the city border that no one knew about. The original looked like it was very nice for the city and don't want miss out again.

Mayor Orcutt continued maybe something for consideration for community is to encourage State Representative Patton and Senator Dolan to push the tax estimated at \$200,000,000.00 hopefully to catch some of those monies back to the community. House Bill 296 that would take the retirement percentage for police officers from 19.5% match where the firefighters are at 24%. That is grabbing traction 4.5 increase will cost the city \$200,000.00+. That would be a \$30,000.000.00 hole and could put that money in there to protect the police officers.

Mr. Troyer suggested if any of this does come lucrative with what the city gets as a certain percentage be put towards drug addiction programs.

Discussion: cont.

Mr. Poindexter commented every draft seen from the state and senate has had monies going to drug awareness; would assume the state would put towards the home cities.

Motion by Mr. Poindexter, supported by Mr. Troyer, discussed.

ROLL CALL: AYES: Poindexter, Troyer, Scott, Mencini, Roberts, Salvatore

NAYS: Unanimous.

There being no further business to come before this meeting a **motion** by Mr. Roberts, supported by Mr. Mencini, to adjourn.

ROLL CALL: AYES: Roberts, Mencini, Poindexter, Salvatore, Troyer, Scott


NAYS: Unanimous.

Council President Vecchio declared this meeting adjourned at 7:17 p.m.

RESPECTFULLY SUBMITTED


Carol Johnson
Clerk of Council

APPROVED



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