

## MINUTES OF A REGULAR MEETING

### BROOKLYN CITY COUNCIL

**September 11, 2017**

**7:00 p.m.**

Present: Barb Paulitzky  
Ron Van Kirk  
Tony DeMarco  
Debbie Tomusko  
Kathy Pucci  
Mary Balbier  
Kevin Tanski

Absent: None

Pledge of Allegiance.

#### **APPROVAL OF MINUTES:**

**MOTION** by Pucci, second by Balbier to approve the minutes of June 12, 2017 (with amendment to Econ. Dev. report, and date of approval added). **VOTE RESULTED:** *To approve, as amended:* Yes: Paulitzky, DeMarco, Tomusko, Pucci, Balbier, Tanski. Abstain: Van Kirk. No: None. **(APPROVED)**

**MOTION** by Pucci, second by Van Kirk to approve the minutes of June 26, 2017. Councilwoman Pucci asked the approval date be added. **VOTE RESULTED:** *To approve, as amended:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier. Abstain: Tanski. No: None. **(APPROVED)**

President Van Kirk said 16 years have passed since the worst day in American history. He spoke briefly on the day and a moment of silence was held in remembrance of Sept. 11, 2001. -Updated that Council met a few times over the summer, and he highlighted legislation discussed at those meetings. -There was confusion this weekend with Rodoan Rd. construction; CATTs Const. failed to inform residents of construction and closures. They sent a letter to those affected, and it is posted on the City's Facebook page and website, promising diligence in notifying of future major work and impacts of driveway access. - Medical Mutual signed a non-binding letter of intent for a long-term lease at former AG property (referred to as Project Century). There is legislation tonight relating to the project (CRA- up to 50% abatement of new/additional real estate taxes on increased valuation on \$23M of real property improvements; a tax revenue sharing agreement with Brooklyn School Bd. to offset impact on school tax revenue; up to 30% rebate of income taxes generated, on declining percentage based over six years. This will help reduce adverse impact of AG relocated jobs. If all goes as planned they will be moving in in 2020.

#### **PUBLIC SESSION:**

*Doug Courtney, City Engineer*, spoke about the issues with the Rodoan construction project. There was milling of pavement, and the contractor failed to notify the residents, resulting in issues with driveway access, etc. He took comments and questions from Councilmembers, then explained the inspector's role, problems in the alley, steel plates, curbs, lack of communication... -Law Dir. added he is looking into any contractual remedies relating to this. -Mr. Courtney spoke of the expected versus actual timelines as presented by the contractor, and the frustration of scheduling.

*Rob Slattery, 4396 W. 62<sup>nd</sup> St.*, thanked the Police Dept. and Officer Murphey for an incident that occurred in the Acres with a driver. -Brooklyn Acres will hold a Meet the Candidates Night on Sept. 20<sup>th</sup> at 7 p.m.; all are invited, it's open to the public, for questions.

*Steve Herbik, 4402 So. Amber Dr.*, thanked the Service Dept. for fixing an issue in the street at his apron. - Great news for Medical Mutual occupying American Greetings bldg., many jobs and payroll; a deal in the works for a long time. -Said to remember lies about Issue 3 during presentations, for various reasons. - Victory Capital signed a five-year lease with Key Bank, though were told they would leave if Issue 3 didn't

pass. –Spoke about effective city government, trust of citizens, and still having our park. –Remember election day, and suggested leadership of Councilmembers Balbier, Tomusko, Pucci. –Invited residents to Meet the Candidate Night at Brooklyn Acres. –Pray for men/women and first responders who lost lives during 9/11 attacks; and also those lives disrupted by recent hurricanes.

*Chris Ellis, Bd. Pres. for Brooklyn Chamber of Commerce*, commented on Aug. 19<sup>th</sup> Picnic in the Park. Gave a background on the event, food vendors (Cedar Grill and Hofbrauhaus) and apologized for the three that did not make it. It was a fantastic event, and biggest so far. The kids' events and bands that performed were a success. The fireworks ended it successfully. –Thanked the Brooklyn residents, Council, Mayor Gallagher, Dir. Verba, Police and Fire Chiefs; and especially the Board of the Chamber of Commerce for prep, and all efforts before and during. –See everyone again next year.

### **REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:**

Public Safety & Environmental Committee (Councilwoman Pucci): The Comm. met Aug. 21<sup>st</sup> and discussed: -medical marijuana (consensus was not to have facilities in Brooklyn for various reasons, an Ord. on Agenda tonight); -reviewed dogs in Memorial Park, there have been no problems, a couple times told people to leash dog, and no dog waste issues. There are still waste issues on the soccer fields at Marquardt Park (asked people to observe rules); -discussed community interest in Neighborhood Watch program. Watch programs are not run by the city, but by residents, provided with assistance from police. The members on previous list will be contacted to gauge interest; -discussed wild animals complaints, how other cities deal with it, and contacting another city's Safety Director; -talked about establishing e-safety commerce zones (for safety/surveillance for people buying/selling internet items). One will be in the lobby, one in parking lot (with a sign).

Domestic Abuse Commission (Councilwoman Paulitzky): Congress enacted Violence Against Women Act in 1994; Brooklyn Ord. 2001-1 created a Domestic Abuse Commission in Brooklyn. Last year Ms. Johaneck (Domestic Violence and Child Advocacy Center, Cleveland) met with her and the Mayor and were informed Brooklyn's one of very few in the state to have an ordinance. Thanked all Council who passed that Ord. Ms. Johaneck said in 22 years what hasn't changed is blaming the victim; hopefully that will change. Our Commission will continue looking to help that day come sooner.

Board of Zoning Appeals (Comm. Kulcsar): The Comm. on July 20 approved a request from C. Crawford for an appeal of Planning Comm. July 6<sup>th</sup> decision to deny conditional use for daycare facility in Retail Business District at 4672 Ridge. Aug. 16 mtg. cancelled. The next mtg. is Sept. 21 at 6 p.m. in the conference room to hear: a request from N. Vu for 230 sq. ft. variance for 300 sq. ft. additional accessory structure at 9000 Memphis; request from A. Latessa for variance of 13.5" for fence setback from public right of way (sidewalk) on a corner lot at 4911 Ridge; request from I. Matthews for 48 sq. ft. variance for 192 sq. ft. additional accessory structure at 10225 Harmony; request from Labella Assoc. for variance to minimum required landscape area of 25% and variance to minimum 20' setback for parking lot expansion at 9500 Brookpark; request from D'Amico for 18" height variance and 8" side lot line variance at 6119 Northcliff.

Planning Commission (Councilman DeMarco): The Comm. on July 6 denied a request from C. Crawford for conditional use for a daycare in Retail Business District at 4674 Ridge (then approved by Zoning Bd. of Appeals). The next mtg. was Aug. 3, approved a request from Agile Signs for sign approval of two illuminated wall signs at 7420 Brookpark; a request from D. Pietrantone, PE, Riverstone Co. for final site plan approval at 4800 Idlewood was approved contingent on City Engineer's final approval. At mtg. of Sept. 7, approved a request from J. Hignits for three banner signs on building for temporary business at 4798 Ridge; approved a request (contingent on zoning variance approval) from Labella Assoc. for additional parking area at 9500 Brookpark; approved a request from J. Yurkschatt of Campbell and Assoc., Inc. (agent for Petrime trustees) for lot consolidation of 4584 and 4586 Roadan.

Econ. Develop. Committee (Councilwoman Pucci): The Comm. on Aug. 21 approved minutes of May 3, approved revised letter of solicitation for W.Diamond Group (former Hugo Boss) (relating to job requirements and other offers for job numbers and parking matters). The Comm. met earlier today: approved minutes of Aug. 21; reviewed and recommended approval, at the next mtg. of Sept. 25, of Ords. 2017-71 and 72 (relating to Medical Mutual, on Agenda tonight, and clarified the \$23M amount is for

renovations into the property for them, with a minimum of 750 jobs over three year period, tax abatement only on improvement, and other considerations with income taxes).

School Board Liaison (Councilwoman Paulitzky): There was a 'stuff the bus' at the Picnic in the Park, she heard from Dr. Gliedhof of the School's thanks for 'more than eight boxes of supplies and several stocked backpacks donated by generous community members'. Read from a Sept. 7<sup>th</sup> Sun Post article about Brooklyn Pre-school earning a 2017 Partnership School Award for their program of 'strengthening and sustaining a comprehensive program of school, family and community partnership'.

Finance Committee (Councilman Van Kirk): He reviewed items to be passed and new on the Agenda: Ord. #63 (hope to pass by emergency), for the MySeniorCenter system (\$4,000 software program); Res. #10 (1<sup>st</sup> reading), adopting Countywide All Hazards Mitigation Plan, which is required to be done every five years; Ord. #64 (hope to pass by emergency because of county filing deadline), assessment of unpaid costs of abatement of nuisance and hazard violations (due to city cutting grass for violation of city code, equaling \$5,625 for all properties); Ord. #65 (1<sup>st</sup> reading), agreement with Juvenile Diversion Cord. (compensation for position, reimbursed by county); Ord. #66 (hope to pass by emergency), adds a purchase of a sessions pass for ice skating; Ord. #68 (hope to pass by emergency), emergency repairs to a packer for not to exceed \$28,000; Ord. #70 (hope to pass by emergency due to timing issue) for property and casualty insurance for the city starting 9/25/17 (less than last year's amount); Ord. #71 and #72, as referred to in the Econ. Dev. report; relating to Medical Mutual property (Finance Dir. Schaeffer will explain the numbers).

Dir. Schaeffer reiterated what was discussed at Finance Comm. regarding Medical Mutual and their \$57M payroll: -they commit to (per the Ordinances) a Job Retention and Creation Grant and a Community Reinvestment Act (on staggered schedules); -highlighted activity between 2020 and 2030 (when both are in effect): -the \$57M payroll generates approx. \$1,425,000/yr over 10 year period (in years 1-6 of Job Retention and Creation are 30% in year 1, and sliding scale down of 25%, 20%, 15%, 10% and 5% of refund on taxes paid); -the Comm. Reinvestment Act helps offset property taxes with making the schools and Polaris whole (enter agree. with schools and Med. Mutual to offset the 50% abatement, which over 10 year period has the city agree to contribute shy of \$200,000/yr to start, up to almost \$218,000 in yr. 10 to Brooklyn; to Polaris, just shy of \$12,000 to being and a little over \$13,000 in yr. 10). -Pres. Van Kirk summarized that net to the city between 2020 and 2030 would be just under \$12M in tax revenue, payments to Polaris about \$123,000, payments to Brooklyn Schools just over \$2M, and a refund back to Medical Mutual of just under \$1.5M.

### **REPORTS OF COUNCIL:**

**Barb Paulitzky:** Welcomed everyone back. Thanked the Chamber of Commerce for a successful Picnic in the Park (the band and fireworks were great). Glad we passed Ord. to allow dogs in park, there were many there. -Shelter dogs from Hurricanes Harvey and Irma are arriving in Cleveland, if thinking of adopting, please do it now. -Choose carefully when donating to storm victims, there are many scams. Her thoughts and prayers with victims and residents with families there. -9/11: was in Shanksville in 2006/07, it was eerie seeing where people gave their lives for us. -Laurel Garden Club featured in Garden Club of Ohio Magazine's fall 2017 edition, relating to the Blue and Gold Star Memorials, with a picture of the Gold Star Marker on the back cover. Thanked the Service Dept. and Marty Rini for mounting it on granite.

**Tony DeMarco:** Welcomed everyone back. -Commented on the Medical Mutual announcement that it's great for the City of Brooklyn, and he and Council will do everything to support bringing them and welcoming them to our city.

**Debbie Tomusko:** Welcomed everyone back. -Could not attend the Chamber's Picnic, but saw the fantastic fireworks. -Brooklyn High School has won a few football games, and she can hear the band play. -The Medical Mutual legislation is a fantastic thing; she regrets it hit the papers Sept. 8 and discussing on Council on Sept. 11<sup>th</sup>, wishing to speak about it before it hits the papers. Due to confidentiality and other issues precluding talking about it openly before their announcement, if anyone has questions, call Councilmembers, the numbers have to be kept into perspective. The next Finance mtg. it will be discussed again and get more clarification. -They are moving Med. Mutual people from Strongsville and Beachwood, and renovations made could open up to others to come and relocate there. We don't have Class A office

space; they came to us and are putting money into the Amer. Greetings bldg. –Sent prayers to Houston (and their spirit of taking care of things, and everyone coming to help) and Florida (where she used to live). -9/11 was a terrible tragedy, but people pulled together as one country, and it needs recaptured. –Enjoy the Indians. –Thanked people for coming and watching on TV and being part of it.

**Kathy Pucci:** Reported the Community Improvement Corp. met Aug. 14, and invited members of Planning Comm. and Strategic Planning Comm. for City Center, for a presentation by consultant Geis, received the final report, and asked questions; their Plan B showed no encroachment in the park. –touched on the changes to Rules of Council that were voted on at a summer special resumed organizational mtg. (per Ord. 2017-60: categories: Order of business, Posting Agenda and packets, Minutes procedures, and other suggestions.) -Safe Routes to School, with the Fall Fest, has the walk/run in Memorial Park at 9 a.m. – Congratulated the football team. –Thanked directors, Chiefs and everyone (especially Tom Bruzek) for the summer with concerns and assistance. –Has a proposed Ord. on first reading to require posting of minutes of all public bodies on the website. –Thanked all who came or participated tonight; Mr. Slattery and Board at Brooklyn Acres for hosting a Meet the Candidate Night; Chris Ellis for the wonderful Picnic in the Park (fireworks was a great addition.) –Thoughts and prayers with those affected by the hurricanes; and also those who lost people in 9/11 (and what is done in lost firefighter families' names).

**Mary Balbier:** Looking forward to working hard after the summer. –Thanked resident Debbie Simunek, who she met campaigning, who has many talents and ideas for children, sewing little bears and donates to fire houses, police depts. to pass on to a child during a tragedy. –Christ's Cupboard (part of Brooklyn Reformed Church, 9014 Biddulph) has a coat, clothing and more giveaway on Oct. 7. They accept any donation to pass along to any needy family. Contact is Mike Bunaisky at 216-323-1745. Please help by donating. –Red Cross, the Salvation Army, churches, Catholic Charities, etc. accept donations in light of recent hurricanes, please check them out. –Thanked Brooklyn Pre-School for their wonderful job and glad they were recognized. –Medical Mutual coming in the city is a sign of good things happening. –Thanked the high school band that she gets to hear.

**Kevin Tanski:** Welcomed everyone back from summer. –Commented the summer picnic on Aug. 19<sup>th</sup> was a huge success (weather, food, activities, fireworks...) Thanked the Chamber of Commerce, and Bob Hennings (fireworks), safety forces, those who donated, and residents for coming out.

**Ron Van Kirk:** The hurricanes hit home for him, as he lost a friend in a tropical storm in Pensacola, so thoughts and prayers for all. Recommends people give to charities to help. –Was unable to attend Picnic in Park, but heard fireworks; thanked for all that put it on. –Medical Mutual coming is a fantastic thing and he's thrilled. As mentioned, American Greetings is not class A, but hoping \$23M going to the facility will upgrade it. –He supported, and still supports the PUD; it will be a good thing for the city. 16% of voters said no; hopefully in the future we can do something to develop undeveloped areas, which the PUD would do. We didn't know Medical Mutual was going to come, they came to us. Spoke about how the PUD was forward thinking. It was voted down this time; we need to do better next time to inform residents and changes things they request.

### **MAYOR'S REPORT:**

**Mayor Gallagher:** Welcomed everyone back. Thanked Council for coming in on break with special mtgs. to move city business forward, she appreciates their time. –Thanks for events that took place over the summer: -Picnic in the Park (Chamber of Commerce, Bd. of Directors for time and effort; businesses who donated; auxiliaries who donated time; Bob Hennings, donated his time on fireworks); -honored Ptl. Jared Kochmit for locating a caller in duress and his help; -Congratulated Det. Sgt. Joe Tenhunfeld who was honored with 2017 Silver and Gold Award for his investigation into missing girl located in Missouri. – Thanked for messages and phones calls she received for the arrival of her second child Jack. –Thanked the people on Northcliff, who hold a block party every year (over 15 years), with all neighbors getting together with music, food, families. If other streets did this it would be a good start to neighborhood watches; if anyone is interested, let her know, she will put you in touch with their organizer. –As mentioned, Council met to hear the Geis feasibility study, which was an approved \$50,000 expenditure by Council December 2016. A Steering Comm. of various residents (chosen by Admin. and Council) came together to work with Geis to look through City Center Concept. The concept, from the 2008 Master Plan, began the basis for

discussion, with various concepts shared with Council. The concept has been confused with the Planned Unit Development zoning, and is still being confused. The PUD allows for zoning changes; the City Center concept is an idea of a PUD. After speaking with residents while walking through the city, if we ever do this again, the campaign efforts need to explain the zoning better. Though many ideas and suggestions (City Center, Geis plan, Master Plan) can move forward without zoning changes, but we want public buy-in for what we do. We want the public to look at plans and say if it's a good idea for the city. Each Councilmember has voted or publicly stated they were in support of the City Center concept, so as an Administrator she moves forward with the Geis study and how to decide what they are supportive of to push to the public from here. Councilman DeMarco had commented at the feasibility mtg. the concept of looking at Marquardt Park as an area to develop houses; she hadn't heard that idea before, but it's one concept to look at. Every Councilmember probably has ideas of what to look at for city projects in the future. -She'd like to finalize budget discussions for 2018 and then call a mtg. with Council to discuss where, if any, to go forward with City Center concept. -She gets asked why she doesn't respond back when she knows something is wrong. She thinks things don't necessarily have to be said back. Her job ('our jobs') is to move the city forward. When false statements are said she typically doesn't say anything, but she needs to start. Clarified: -to Mr. Herbig, who said it was stated in the public mtg. they were unable to bring in businesses, but Medical Mutual; we said we don't have class A office space. The Medical Mutual deal (Project Century) has been worked on over a year with the brokers (so we didn't know the business), and had two concepts presented, a headquarters and a back office. If passed next mtg., we will get the back office; we weren't able to secure the headquarters (they bought the bldg. downtown). It's the idea Dir. Udris kept saying, it will be hard to retain headquarters like Amer. Greetings in that property again; and that came true. Twisting and turning the words is not reality, and she urged him to go back and watch the mtgs. -The plan is a concept. They could have showed no picture or plan of what a concept could look like, but it would be said she's trying to hide something. Again, it was a concept, not final plan. -If anyone has questions about it (though it's over and done with), call her cell at 216-469-2561. -Reached out to American Red Cross for how to help with hurricane Irma, they suggested best help is donate blood or cash. -Over summer hired a part-time Animal Control Officer, Miranda Braude, who starts this week (also p-time ACO for Parma). -Next week is groundbreaking for Brooklyn Pointe, the assisted living facility to be on Northcliff; happy they are moving on this project, after nearly 20 years in the works. -Upcoming events: -Shunpike Shoppe, Sept. 23 (10a-3p) and 24 (noon-3p); Fall Festival, Sept. 30 (noon); coffee with the Mayor, Oct. 13 (9a). -Dir. Udris couldn't stay for Council mtg., but she just received an e-mail that he was named by Chamber of Commerce for Bright Star Award, as works very closely with the Chamber. He asked her to report: -Inogen moved into Amer. Greetings old property (IRG property) and in process of hiring 80 employees (their first yr. requirement); -National Safety Apparel has located there (35 new employees this month); -Ryder Truck construction is nearly complete on Brookpark Rd.; -AutoZone submitted plans to replace Staples on Brookpark Rd.; -8500 Clinton (Weston) has been filled by Guardian Building Supplies with 100,000 sq. feet and five new jobs; -he's also working with Northeast Ohio Regional Sewer District, the Metroparks, and Wal-Mart to improve the flooding area there, along with Parma, to hopefully minimize flooding impact there; -working with Team NEO to do a road extension in the Amer. Greetings property (verbal commitment from State for qualifying money with out of state businesses coming in).

### **DIRECTORS REPORTS:**

Finance Dir Schaeffer: Updated the 2018 CAFR was publicly released by Auditor of State and posted to city's website (contact him for questions). -Updated RITA projections, which Council was provided. -Next budget discussion is next Monday at 6 p.m. in the conference room.

Fire Chief Zemek: Recognized Lubrizol and the Red Cross- who joined Brooklyn Fire with their volunteers on July 14 and went door to door on Northcliff and Delora and reached 71 homes and installed 181 fire detectors for free. -Five years ago we adopted the County All-Hazards Mitigation Plan as part of our emergency plan; the ordinance tonight is a five year renewal, nothing in the plan has changed. This allows us if there's any natural disasters that damage city owned property and/or city owned buildings to seek reimbursement, beginning at county level, then to state, then to federal. -Pres. Van Kirk thanked Chief Zemek. Also, his church does a First Responders Sunday to honor all first responders; the Chief was able to have Life Flight from University Hospital land at the church, and had a fire truck and ambulance, along with Chief Mielke having the SWAT vehicle. The kids had a blast. Thanked the Chiefs again, and for all they do.

Building Comm. Kulcsar: Gave an update on the projects people are hearing about and new businesses coming in. To date in 2017, over \$14M worth of construction has occurred through permits, commercial and residential projects. Last year's total in improvements was just over \$8M. 2017 residential improvements are over \$3.4M; last year was \$2.1M. Things are trending up with properties, new commercial and tenants coming, updating buildings. –He attended the Ohio Flood Plain Management Assoc. conference a couple weeks ago, which was informative. With flooding happening everywhere you have to consider it. There is a flood plain going through the city. If anyone has questions about their properties or flood plain insurance (required if you have a mortgage and your structure is in the flood plain) he can assist with that.

**REQUESTS:**

Liquor permit request from La Plaza Nuevo at 7106 Biddulph Rd. The Chief has no objection. It's a new permit. **MOTION** by Pucci, second by Tanski for a position of no objection. **VOTE RESULTED:** *No objection:* Yes: Paulitzky, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: Van Kirk. **(NO OBJECTION)**

**LEGISLATION:**

**ORDINANCE 2017-61**, Amending Section 1501.11(5), 'Permit issuance, application, revocation, fees' of the Codified Ordinances of the City of Brooklyn. **(SECOND READING)**

**ORDINANCE 2017-63**, hope to pass by emergency, Authorizing and approving the purchase, installation and training of a MySeniorCenter System for use by the Brooklyn Senior Center for \$4,000. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

**RESOLUTION 2017-10**, Approving and adopting the Countywide All-Hazards Mitigation Plan for Cuyahoga County, 2017-2020 Update. **(FIRST READING)**

**ORDINANCE 2017-64**, hope to pass by emergency, Assessing unpaid costs of abating nuisance and hazard violations of Section 521.14 of the Codified Ordinances of the City of Brooklyn, Ohio. Total amount is \$5,625. Councilwoman Pucci added, this is so we can recoup the money that the city expended in cutting properties not kept up (grass cutting, etc.) **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

**ORDINANCE 2017-65**, Authorizing the Mayor to enter into an agreement with the Juvenile Diversion Coordinator. **(FIRST READING)**

**ORDINANCE 2017-66**, hope to pass by emergency, Amending Sect. 2 of Ord. 2017-32, entitled "Establishing a City Ice time and admission rate for persons using City Ice for figure skating purposes only." **MOTION** by Tanski, second by Pucci to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

**ORDINANCE 2017-67**, hope to pass by emergency, Amending Sect. 1109.01 of the Codified Ordinances of the City of Brooklyn to prohibit the cultivation, processing or dispensing of medical marijuana in the city. Pres. Van Kirk read subsection g entered into 1109.01: 'Notwithstanding any other provision of this zoning ordinance, no word or phrase in this zoning ordinance shall be construed to mean or to permit medical marijuana to be cultivated, manufactured, or dispensed which uses are specifically prohibited in all zones in the City. As used herein, "medical marijuana" shall have the same meaning as in R.C. 3796.01, and "cultivate," "manufacture" and "dispense" shall have the same meaning as in Ohio Admin. Code 3796:1-1-01.' **MOTION** by Van Kirk, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Pucci, Balbier, Tanski. No: Tomusko. **(ADOPTED)**

**ORDINANCE 2017-68**, hope to pass by emergency, Authorizing and approving the expenditure of not to exceed \$28,000 for emergency repairs to International Packer 5644 as specified in the proposal of Cerni International. The quote is for \$23,604.66 and gives a cushion for additional expenses as it's an engine repair. **MOTION** by Tanski, second by Pucci to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

**ORDINANCE 2017-69**, Amending Sect. 105.04 of the Codified Ordinances of the City of Brooklyn to require minutes of meetings to be posted online. **(FIRST READING)**

**ORDINANCE 2017-70**, hope to pass by emergency, Authorizing the Mayor to enter into a contract with Public Entities Pool of Ohio for the purpose of providing Property and Casualty Insurance for the City of Brooklyn for the coverage period beginning September 25, 2017 for a total annual cost not to exceed \$118,582. **MOTION** by Pucci, second by Tanski to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. *To adopt:* Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

**ORDINANCE 2017-71**, Authorizing the Mayor to enter into a Job Retention and Creation Grant Agreement with Medical Mutual of Ohio. **(FIRST READING)**

**ORDINANCE. #2017-72**, Approving and authorizing the Mayor to execute a Community Reinvestment Area Tax Agreement with Cleveland American, LLC, Holdings Cleveland American, LLC and Medical Mutual of Ohio at the estimated cost of \$23,000,000. Councilwoman Pucci noted there are minor changes in the wording; Dir. Butler will have it for the next mtg. to be amended. **(FIRST READING)**

There being no further business, **MOTION** by Tanski, second by Tomusko to adjourn. **VOTE RESULTED: To Adjourn:** Yes: Paulitzky, Van Kirk, DeMarco, Tomusko, Pucci, Balbier, Tanski. No: None. **(ADJOURNED)**

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Clerk of Council

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President of Council

Minutes approved: 9.25.17