

OCTOBER 5, 2015  
REGULAR COUNCIL MEETING MINUTES  
PARMA COUNCIL CHAMBERS  
7:00 P.M.

The Regular Council Meeting was called to order by President of Council Sean P. Brennan presiding.

COUNCIL MEMBERS PRESENT:      DEBORAH LIME  
   SCOTT M. TUMA  
   MARK CASSELBERRY  
   JEFFREY CROSSMAN  
   BRIAN DAY  
   VITO DIPIERRO  
   ALLAN DIVIS

COUNCIL MEMBERS EXCUSED:      BRIAN BROCHETTI  
   LARRY NAPOLI

Mr. Ramser - Mr. President, the roll of Council has been called, and I find a quorum of Council members present. The following officials and department heads were also present: Mayor Timothy DeGeeter, Law Director Timothy Dobeck, Auditor Dennis Kish, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Michael O'Malley, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Resources Thomas Weinreich, Chief of Staff Michael Culp and Clerk of Council Kenneth A. Ramser.

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**INVOCATION**

The Invocation was given by Fr. Jason Soltysiak - St. Mary's Polish National Catholic Church.

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Adam and Isabella Higgins.

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**VOICE VOTE**

RESOLUTION NO. 206-15      10/5/15      L-206-15  
BY:    **S. M. TUMA, L. NAPOLI**, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN,  
         B. DAY, V. DIPIERRO, A. DIVIS, D. LIME

A RESOLUTION TO RECOGNIZE AND CONGRATULATE ROCK AND RIDE  
AGAINST DEMENTIA

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 206-15. Motion carried.

RESOLUTION NO. 207-15                      10/5/15      L-207-15  
BY: **B. DAY, V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI, S. M. TUMA,**  
**B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN**

A RESOLUTION HONORING ST. MARY'S POLISH NATIONAL CATHOLIC  
CHURCH ON THEIR 100th ANNIVERSARY

Motion made by Councilman Tuma seconded by Councilman Day to adopt  
Resolution No. 207-15. Motion carried.

Councilman Day - Presented the Resolution as well as certificates from the Law  
Director and Treasurer.

Mayor DeGeeter - Presented a Proclamation to Father Soltysiak.

Father Soltysiak thanked Councilman Day and the Mayor for their support.

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RESOLUTION NO. 209-15                      10/5/15      L-209-15  
BY: **B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY, V. DIPIERRO**  
**A. DIVIS, D. LIME, L. NAPOLI, S. M. TUMA**

A RESOLUTION HONORING DOROTHY NEJMAN ON HER 100TH  
BIRTHDAY - OCTOBER 17, 2015

Motion made by Councilman Tuma seconded by Councilman Day to adopt  
Resolution No. 209-15. Motion carried.

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RESOLUTION NO. 210-15                      10/5/15      L-210-15  
BY: **B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY, V. DIPIERRO**  
**A. DIVIS, D. LIME, L. NAPOLI, S. M. TUMA**

A RESOLUTION HONORING TODD ZEIGLER 2015 COACH OF THE  
YEAR YOUTH SOCCER

Motion made by Councilman Tuma seconded by Councilman Day to adopt  
Resolution No. 210-15. Motion carried.

President Brennan - Presented the Resolution as well as certificates from the Law  
Director and Treasurer.

Mayor DeGeeter - Presented a Proclamation to Todd Zeigler.

Recipient thanked Council and the Mayor for the honor.

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**LEGISLATIVE COMMENT**

No one wish to speak.

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**DISPOSAL OF JOURNAL**

Mr. Brennan - Stated, we have the Minutes from the Special Council Meeting held  
on September 14, 2015 and the Regular Council Meeting held on September 21, 2015.  
Asked if there were any additions or corrections to these Minutes? Stated, hearing none,  
the Minutes will stand approved as printed.

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### **COMMUNICATIONS, PETITIONS AND CLAIMS**

Councilman Divis - Stated the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Patrick M. Soposky, 6970 Broadview Rd., PPN 451-17-002. The request is for an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(a) – SINGLE-FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS. The proposal is to build garage addition resulting in more square ft. than Code allows at 6970 Broadview Rd. Maximum size of garage permitted on an irregular lot size is 800 sq. ft.. The proposed garage addition is 24' x 28' (672 sq. ft.) to existing garage of 24' x 30' (720 sq. ft.) for total area of 1,390 sq. ft. This variance would result in 592 more sq. ft. of area for garage addition on an irregular lot size. The property in question for denial is that the essential character of the neighborhood would be substantially altered and that the property owner can have this obviated in some other manner. He brought the hardship upon himself with all these things."

Motion made by Councilman Divis seconded by Councilman Day to override the recommendation of the Parma Board of Zoning Appeals and grant the Variance with the stipulation that it is not used for business purposes recommended by the Planning Committee of Council.

Councilman Tuma - Stated that he is abstaining from this vote since Mr. Soposky is a former client of his.

Motion carried.

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Councilman Divis - Stated the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Mr. Mike Midagliotti for property owner James Rastatter, 10941 Glamer Dr., PPN 457-34-031. The request is for an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03 (a) – SINGLE FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDINGS. The proposal is to erect new garage of 24' x 40' or 960 sq. ft. with height of 18' on a parcel of 9,486 sq. ft. at 10941 Glamer Dr. This variance would result in allowing for 192 more sq. ft. in area and 3' more in height for detached garage on lot size of 9,486 sq. ft. in area. The stipulation is the height will be no higher than 16'.

Motion made by Councilman Divis seconded by Councilman Day to grant the above Variance with the stipulation as recommended by the Parma Board of Zoning Appeals and the Planning Committee of Council. Motion carried.

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Councilman Divis - Stated the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Mr. Jerome A. Kessler, 11708 Kader Dr., PPN 457-21-011. The request for an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(a) – SINGLE-FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDINGS. The proposal is to build a new detached garage at 11708 Kader Dr. Maximum size of garage permitted on lot size of 65' x 150' or 9,750 sq. ft. lot area is 800 sq. ft. with a maximum height of 15'. The Applicant is proposing to build new garage of 1,268 sq. ft. with 16' in height. This variance would result in allowing garage size of 458 more sq. ft. in area and 1' more in height for detached garage on lot size of 9,750 sq. ft. in area. The stipulation with granting this variance is that no other outbuildings will ever be constructed and the current outbuilding will be taken down and removed. The essential character of the neighborhood would not be

substantially altered and the adjoining properties would not suffer a detriment as a result of this variance.”

Motion made by Councilman Divis seconded by Councilman Day to grant the above Variance with the stipulation as recommended by the Parma Board of Zoning Appeals and the Planning Committee of Council. Motion carried.

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Request for representation by the Law Department for Mayor Timothy DeGeeter, Chief Robert Miller-Police, Gregory Baeppler-former Safety Director, John French-former Fire Chief, Tracie Holley-Dispatcher, Jennifer Novick-Dispatcher, Lisa Jerman-Dispatcher.

Motion made by Councilman Tuma seconded by Councilman Day to grant request.

Councilwoman Lime - Asked for an explanation from the Law Department.

Law Director Dobeck - Stated that it was a excessive force filed against the Police Dept. last year involving an individual having a seizure. This is also an amended complaint that the same defendant has filed.

Motion carried.

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Request from Erik Tollerup to read a public announcement/communication to City Officials and residents at the Council Meeting.

The City's Community Development Department invites all public officials, residents and partners to attend its annual series of public forums that enable you, as a stakeholder in the City of Parma, to voice your opinion and guide program development for the FY 2016 Community Development Block Grant program. The first meeting will be held on Thursday, October 8th at 6:00 p.m. in the City Council Chambers with the second meeting on Thursday, October 15th at 6:00 p.m. in Council Chambers. The Community Development Block Grant is responsible for an annual budget of \$1,000,000.00 for the provision of programs that assist low/moderate income persons, Seniors over the age of 65 and low/moderate income neighborhoods.

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**FIRST READING:**

	ORDINANCE NO. 208-15	10/5/15	L-208-15
BY:	S. M. TUMA		
	(By Request - Human Resources Director)		

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT/RENEWAL CONTRACT FOR HEALTH CARE ADMINISTRATION AND INSURANCE AND DENTAL CARE INSURANCE COVERAGE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY

Mr. Brennan - Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 213-15          10/5/15          L-213-15  
BY: S. M. TUMA  
(By Request - Auditor)

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PARMA, OHIO, DURING THE PERIOD FROM JANUARY 1, 2016, TO AND INCLUDING DECEMBER 31, 2016, AND DECLARING AN EMERGENCY

Mr. Brennan - Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 214-15          10/5/15          L-214-15  
BY: S. M. TUMA  
(By Request - Auditor)

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PARMA, OHIO, DURING THE PERIOD FROM JANUARY 1, 2016, TO AND INCLUDING MARCH 31, 2016, DECLARING AN EMERGENCY

Mr. Brennan - Said Ordinance will be referred to the Finance Committee.

**SECOND READING:**

ORDINANCE NO. 187-15          9/8/15          L-187-15  
BY: S. M. TUMA  
(By Request - Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE YMCA OF GREATER CLEVELAND FOR BUILDING SPACE AT THE DONNA SMALLWOOD ACTIVITIES CENTER AND OFFICE ON AGING LOCATED AT 7001 WEST RIDGEWOOD DRIVE, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Day to refer Ordinance No. 187-15 back to the Public Service Committee. Motion carried.

ORDINANCE NO. 197-15          9/21/15          L-197-15  
BY: B. DAY  
(By Request - Safety Director)

AN ORDINANCE TO ADOPT THE OHIO FIRE CODE, TO REPEAL EXISTING CHAPTER 1302 AND TO ENACT A NEW CHAPTER 1302 OF THE CODIFIED ORDINANCES OF THE CITY PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Day seconded by Councilman Dipierro to amend Ordinance No. 197-15 by attaching revised Exhibit "A" and referring it back to the Public Safety Committee as amended. Motion carried.

BY: B. DAY  
(By Request - Safety Director)

AN ORDINANCE TO AMEND SECTION 145.01 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA AND TO ENACT SECTION 145.025 "BUREAU OF FIRE PREVENTION" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Day seconded by Councilman Dipierro to refer Ordinance No. 198-15 to the Public Safety Committee. Motion carried.

**THIRD READING:**

BY: B. DAY, D. Lime, S. M. Tuma, M. Casselberry, J. Crossman, V. Dipierro, A. Divis  
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH PHYSIO-CONTROL, SOLE SOURCE PROVIDER, FOR A TECHNICAL SERVICE SUPPORT AGREEMENT FOR EIGHT (8) LIFE-PAK 15'S FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 185-15.

Yes: Lime, Tuma, Casselberry, Crossman, Day, Dipierro, Divis.

No: None; motion carried.

**SUSPENSION OF THE RULES:**

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 191-15, Resolution No. 211-15, Ordinance No. 212-15, Resolution No. 215-15 and Ordinance No. 216-15 on three different days be dispensed with?

Yes: Lime, Tuma, Casselberry, Crossman, Day, Dipierro, Divis.

No: None; motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 191-15, Resolution No. 211-15, Ordinance No. 212-15, Resolution No. 215-15 and Ordinance No. 216-15 be placed on final passage?

Yes: Lime, Tuma, Casselberry, Crossman, Day, Dipierro, Divis.

No: None; motion carried.

RESOLUTION NO. 191-15      10/5/15      L-191-15

BY: S. M. TUMA  
(By Request - Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S CASH TRANSFERS,  
AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt  
Resolution No. 191-15.

Yes: Lime, Tuma, Casselberry, Crossman, Day, Dipierro, Divis.

No: None; Resolution No. 191-15 is adopted.

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RESOLUTION NO. 211-15      10/5/15      L-211-15

BY: J. CROSSMAN  
(By Request - Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO  
INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL  
NUMBER 451-17-022, 1060 PARKHAVEN DRIVE, PARMA, OHIO, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Crossman seconded by Councilman Day to refer  
Resolution No. 211-15 to the Public Safety Committee. Motion carried.

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ORDINANCE NO. 212-15      10/5/15      L-212-15

BY: S. M. TUMA  
(By Request - Auditor)

AN ORDINANCE REQUESTING AND AUTHORIZING THE CUYAHOGA  
COUNTY FISCAL OFFICER TO MAKE TAX ADVANCES TO CERTAIN  
DESIGNATED OFFICERS OF THE CITY OF PARMA, AND DECLARING AN  
EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt  
Ordinance No. 212-15.

Yes: Lime, Tuma, Casselberry, Crossman, Day, Dipierro, Divis

No: None; Ordinance No. 212-15 is adopted.

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RESOLUTION NO. 215-15      10/5/15      L-215-15

BY: S. M. TUMA  
(By Request - Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION  
OF REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN  
EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt  
Resolution No. 215-15.

Councilman Tuma - Asked for a explanation on the \$16,600 for Housing Research from 8-1-14 to 8-31-15?

Law Director Dobeck - Stated that they provide Landlord services at Community Development, and the landlord and tenant training and fair housing analysis.

Councilwoman Lime - Asked if the Cleveland Communication Center \$2,000 for tower climbers was for the new communication center?

Safety Director O'Malley - Stated, yes, that it was for equipment placed on the pole.

Councilwoman Lime - Stated that is was coming out of 423 and wanted to make sure it was going on the communication bill and not some other account.

Safety Director O'Malley - Stated that it would be put on the communication bill.

Yes: Lime, Tuma, Casselberry, Crossman, Day, Dipierro, Divis.

No: None; Resolution No. 215-15 is adopted.

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ORDINANCE NO. 216-15                      10/5/15                      L-216-15

BY: S. M. TUMA  
(By Request - Treasurer)

AN ORDINANCE TO AMEND ORDINANCE NO. 132-15 AND THE EXHIBIT "A" TO REFLECT THE CORRECT CHAPTER NUMBER OF THE NEW MUNICIPAL INCOME TAX CODE OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 216-15.

Yes: Lime, Tuma, Casselberry, Crossman, Day Dipierro, Divis.

No: None; Ordinance No. 216-15 is adopted.

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**TABLED/RECONSIDER:**

ORDINANCE NO. 152-15                      10/5/15                      L-152-15

BY: B. DAY  
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH CROWN CASTLE FOR SPACE ON A TOWER TO FACILITATE CONNECTIVITY BETWEEN THE PARMA REGIONAL DISPATCH CENTER AND ITS MUNICIPAL CUSTOMERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to Table Ordinance No. 152-15. Motion carried.

Motion made by Councilman Day seconded by Councilman Tuma to Reconsider Ordinance No. 152-15. Motion failed.

Ordinance No. 152-15 is tabled.



**PUBLIC SESSION**

Wayne Metzger - Thanked Larry Napoli and Scott Tuma for attending the Rock and Rise against Dementia "poker run". Stated he is looking forward to planning for next year.

Ray Rosenberger - Spoke about the Statistically Valid Community Survey he will be giving to Council and Administration.

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**MISCELLANEOUS BUSINESS**

Mayor DeGeeter - Spoke about the Purple Hearts organization that is putting a wheelchair ramp in for a veteran. Also that October 4 started Fire Prevention week which runs through Oct 10th.

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Safety Director O'Malley - No comment.

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Service Director Higgins - No comment.

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Auditor Kish - No comment.

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Law Director Dobeck - Thanked the City employees that attended the meeting, and thanked them for their hard work.

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Treasurer Mastroianni - Welcomed AFSCME wished them luck in the future and thanked them for their hard work.

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Councilwoman Lime - Welcomed AFSCME and thanked them for their services. Also reminded everyone about Treat n Greet coming on October 24th from 11 - 3 in Polish Village.

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Councilman Tuma - Welcomed AFSCME and thanked them for their hard work. Verified with the Mayor that Trick or Treat will be on October 31st. Also congratulated the Voice Vote recipients.

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Councilman Casselberry - No comment.

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Councilman Crossman - Thanked the supporters for the Hungry Network fundraiser which raised over \$60,000.

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Councilman Day - Welcomed AFSCME. Congratulated St. Mary's on their 100th Anniversary.

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Councilman Dipierro - Wished Tom Mastroianni luck on his upcoming surgery.

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Councilman Divis - Thanked the Parma public employees for their hard work. Also wished Tom Mastroianni the best on his upcoming surgery.

President of Council Brennan - Congratulated Dan McCarthy on his 6 years with the Parma Observer. Thanked AFSCME for their dedication to public service.

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**REPORT ON ABSENT OFFICIALS**

Motion made by Councilman Tuma seconded by Councilwoman Lime to excuse Councilman Brochetti and Councilman Napoli from said meeting. Motion carried.

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**ADJOURNMENT**

Motion made by Councilman Day seconded by Councilman Dipierro to adjourn said meeting at 7:56 p.m. Motion carried.

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**CERTIFICATION**

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, October 5, 2015.

          /s/ Kenneth A. Ramser          

Kenneth A. Ramser  
Clerk of Council

          /s/ Sean P. Brennan          

Sean P. Brennan  
President of Council

Minutes completed on October 9, 2015/kj