

AUGUST 3, 2015
REGULAR COUNCIL MEETING MINUTES
PARMA CITY HALL COUNCIL CHAMBERS
9:02 PM

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

COUNCIL MEMBERS PRESENT:

JEFFREY CROSSMAN
VITO DIPIERRO
ALLAN DIVIS
DEBORAH LIME
LARRY NAPOLI
SCOTT M. TUMA
BRIAN BROCHETTI
MARK CASSELBERRY

COUNCIL MEMBER EXCUSED:

BRIAN DAY

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 G. Dobeck, Auditor Dennis M. Kish, Treasurer Thomas Mastroianni, Service Director Brian Higgins, Safety Director Michael O'Malley, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Resources Thomas Weinreich, Community Development Director Erik Tollerup, Chief of Staff Michael Culp, Economic Development Officer Shelley Cullins, Director of Public Housing Priscilla Pointer-Hicks and Clerk of Council Kenneth A. Ramser.

INVOCATION

The Invocation was given this evening by Clerk of Council Kenneth A. Ramser.

PLEDGE OF ALLEGIANCE

LEGISLATIVE COMMENT

Mr. Brennan - Asked if anyone from the public would like to comment on any legislation that Council will be taking final action on tonight. No one wished to comment.

DISPOSAL OF THE JOURNAL

Mr. Brennan - Stated, we have the Minutes from the Regular Council Meeting held on July 6, 2015, Special Council Meeting of July 20, 2015, Pubic Hearing of July 6, 2015, and the Minutes of the Tax Budget Hearing of July 6, 2015. Asked if there were any additions or corrections to these Minutes. Stated, hearing none, the Minutes will stand approved as printed.

VOICE VOTE:

Resolution No. 172-15 8/3/15

By: **D. Lime**, B. Brochetti, M. Casselberry, B. Day, V. Dipierro, A. Divis,
J. Crossman, L. Napoli, S. Tuma

L-172-15

A RESOLUTION HONORING SISTER PATRICK MARIE WALSH, OSU, CITIZEN

total area of both garages being 814 sq. ft. This variance would result in allowing for a second garage and 14 more sq. ft. than Code permits. The PPN 452-11-009. The variance has stipulation that there will be no driveway to the new garage and 105' from the house
Motion made by Councilman Divis, seconded by Councilman Dipierro to GRANT the variance with the stipulation. Motion carried.

Councilman Divis: The Planning Committee of Council met on August 3, 2015, to discuss the variance for the applicants, **Thomas & Tina Garcia**, 7797 York Rd. PPN 456-26-002.

They requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03 (a) - SINGLE FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDINGS. Maximum size garage allowed on 54,144 sq. ft. lot shall not exceed a total floor area of 800 sq. ft. and only one garage is permitted per lot. The proposal is to erect a second garage of 960 sq. ft. with a total area of both garages being 1,488 sq. ft. for property located at 7797 York Road. This variance would result in allowing for a second garage on parcel with 688 sq. ft. more than code allows. The stipulations are that one shed is removed and that no commercial business will be run out of the garage and Applicants will comply with all of the noise Ordinances within the City of Parma.

Motion made by Councilman Divis, seconded by Councilman Dipierro to GRANT the variance with the stipulation. Motion carried.

Request for Representation - Law Director Timothy Dobeck has requested a voice vote from the members of Council for the legal representative of Paul W. Deichmann, who has been named as a defendant in Case No. CV-15-848628. Motion was made by Councilman Tuma, seconded by Councilman Brochetti to approve the request. Motion carried.

Thank you. Council is in receipt of a thank you letter from Nancy Fedak for her Citizen of the Month recognition.

Notice to the legislative authority from the Ohio Division of Liquor Control for a new C1, C2, and D6 license for 5347 Pearl Road LLC, 5347 Pearl Road, Parma, Ohio, 44129. Mailed on 7/10/15. Responses must be postmarked no later than 8/10/2015.

Mr. Brennan - Said liquor license shall be referred to the Ward Council and the Safety Director.

Notice to the legislative authority from the Ohio Division of Liquor Control for a new D1 and D3 license for Chipotle Mexican Grill of Colorado LLC dba Chipotle Mexican Grill 2528, 1042 W. Pleasant Valley Road, Parma, Ohio, 44134. Mailed on 7/29/15. Responses must be postmarked no later than 8/31/15.

Mr. Brennan - Said liquor license shall be referred to the Ward Council and the Safety Director.

Introduction of Ordinances and Resolutions

SECOND READING:

Ordinance No. 140-15

7/6/15

L-140-15

By: D. Lime

(By Request - Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2015 NUISANCE DEMOLITION PROGRAM AND FOR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE DEMOLITION OF ALL DESIGNATED DWELLING STRUCTURES AND GARAGES, AND DECLARING AN EMERGENCY

RESIDENTIAL ACCOUNTS FOR THE FOURTH CALENDAR QUARTER OF YEAR
2015 AND FOR YEAR 2016, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to amend a portion of Section 1 to be amended to read as follows "...for single-family, two-family, and three-family residential properties within the City"... Further moved to refer this amended Ordinance back to the Finance Committee. Motion carried.

By: B. Day
(By Request - Mayor)

Ordinance No. 153-15 7/6/15 L-153-15

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH MEDINA COUNTY FOR CERTAIN SPACE INSIDE PARMA'S RADIO SYSTEM, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to refer this Ordinance back to the Finance Committee. Motion carried.

By: J. Crossman, M. Casselberry
(By Request - Community Services & Economic Development Director)

Ordinance No. 158-15 7/20/15 L-158-15
(Spec. Mtg.)

AN ORDINANCE TO CONVEY CITY-OWNED PROPERTIES LOCATED AT 2824 MAPLECREST AVENUE; 1522 GRANTWOOD AVENUE; 4311 MILFORD; 6215 RIDGEWOOD AVENUE; 7622 KENILWORTH AVENUE; AND 4519 YORKSHIRE AVENUE ACQUIRED UNDER THE APPROVED NEIGHBORHOOD STABILIZATION PROGRAM OR PARMA LAND REUTILIZATION PROGRAM PROCEDURES TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY

Motion made by Councilman Divis, seconded by Councilman Brochetti to refer this Ordinance back to the Planning Committee. Motion carried.

By: B. Day
(By Request - Safety Director)

Ordinance No. 161-15 7/20/15 L-161-15
(Spec. Mtg.)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH CODY COMPUTER SERVICES, INC., SOLE SOURCE PROVIDER, FOR A TWO YEAR SUPPORT PACKAGE FOR ALL CODY SOFTWARE FOR THE COMMUNICATIONS CENTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to refer this Ordinance back to the Finance Committee. Motion carried.

By: V. Dipierro
(By Request - City Engineer)

Ordinance No. 163-15 7/20/15 L-163-15
(Spec. Mtg.)

AN ORDINANCE TO CONVEY CITY-OWNED PROPERTY LOCATED ON CHEVROLET BOULEVARD, PERMANENT PARCEL NO. 441-16-001, TO THE NORTHEAST OHIO REGIONAL SEWER DISTRICT IN ORDER TO CONSTRUCT, OPERATE AND MAINTAIN A DETENTION BASIN, AND DECLARING AN EMERGENCY

amount to be \$86,600.00. Further moved to waive Rule 52 and place amended Ordinance No. 160-15 on Second Reading Suspension.

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; Amended Ordinance No. 160-15 is adopted.

Ordinance No. 165-15 7/20/15 L-165-15
(Spec. Mtg.)

By: S. M. Tuma, J. Crossman
(By Request - City Engineer)

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR IMPROVEMENTS TO WEST RIDGEWOOD DRIVE (BETWEEN STATE ROAD AND RIDGE ROAD) IN THE CITY OF PARMA, OHIO, CONSISTING OF THE CONSTRUCTION OF SANITARY SEWERS WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to amend Ordinance No. 165-15 as follows: In Section 1, the words "and replacement of a water main" are deleted.
Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Brochetti to adopt amended Ordinance No. 165-15.

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; Amended Ordinance No. 165-15 is adopted.

Ordinance No. 166-15 7/20/15 L-166-15
(Spec. Mtg.)

By: A. Divis, L. Napoli
(By Request - City Engineer)

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR IMPROVEMENTS TO SPRAGUE ROAD AND A PORTION OF HOERTZ ROAD, IN THE CITY OF PARMA, OHIO, CONSISTING OF THE CONSTRUCTION OF SANITARY SEWERS WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to amend Ordinance No. 166-15 is amended as follows: In Section 1, the blank shall be amended to read "\$490,221.61..." and Exhibit A shall be attached. In Section 1, the words "and replacement of a water main" are deleted.

Motion made by Councilman Tuma, seconded by Councilman Brochetti to adopt amended Ordinance No. 166-15.

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; Amended Ordinance No. 166-15 is adopted.

THIRD READING:

Ordinance No. 79-15 4/6/15 L-79-15

By: B. Brochetti
(By Request - City Engineer/Building Commissioner)

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF BAGLEY ROAD, NORTH LINDEN LANE, PLEASANT VALLEY ROAD, AND WEST 130TH STREET IN THE CITY OF PARMA, BY CONSTRUCTING SANITARY

DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to adopt Ordinance No. 138-15.

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; Ordinance No. 138-15 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 157-15, Ordinance No. 160-15, Ordinance No. 165-15, and Ordinance No. 166-15 on three different days be dispensed with?

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 157-15, Ordinance No. 160-15, Ordinance No. 165-15, and Ordinance No. 166-15 be placed on final passage?

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; motion carried.

Ordinance No. 170-15

8/3/15

L-170-15

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE PURCHASE OF THIRTY-ONE (31) L3 FLASHBACK DASH CAMERA SYSTEMS FOR POLICE VEHICLES AND A FIVE (5) YEAR SOFTWARE AND HARDWARE MAINTENANCE AGREEMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to adopt Ordinance No. 170-15.

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; Ordinance No. 170-15 is adopted.

Resolution No. 171-15

8/3/15

L-171-15

By: D. Lime, B. Brochetti
(By Request - Safety Director)

A RESOLUTION OBJECTING TO THE APPLICATION OF RENEWAL "D5" AND "D6" LIQUOR PERMITS BY THE DEPARTMENT OF LIQUOR CONTROL TO HNE ENTERPRISES, INC., DBA GOODTIME CHARLIES BAR AND GRILLE LOCATED AT 5771 PEARL ROAD IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Brochetti to adopt Ordinance No. 171-15.

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli, Tuma.

No: None; Ordinance No. 171-15 is adopted.

No: None; Ordinance No. 177-15 is adopted.

Resolution No. 178-15

8/3/15

L-178-15

By: B. Brochetti
(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 Brochetti, seconded by Councilwoman Lime to adopt Resolution No. 178-15.

Yes: Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Napoli.

No: None; Resolution No. 178-15 is adopted.

Abstain: S. Tuma

Appointments and Confirmations

There were no appointments or confirmation.

Public Session

Representative from Ridgewood United Methodist Church thanked everyone for their cooperation as they worked for 33 homeowners who were unable to afford or unable to complete home repairs. The volunteers enjoyed themselves as they worked.

Mrs. Brandon - Stated that there are no need for bike lanes in the City of Parma. They would much rather see the streets fixed.

Mike from N. Linden - Stated that 12922 W. Linden is vacant and is an eyesore and would appreciate property inspection and mowing.

Susan from N. Linden - Stated that she concurs with the situation at 12922 W. Linden and would appreciate action.

Ken Ehlert, Ward 1 - Stated that he loved the camaraderie between the Council and the public tonight and hopes it continues.

Resident of Martin Drive - Stated that 17461 N. Linden has an absentee landlord and the property needs attention.

Ray Rosenberger of N. Canterbury - Questioned the point of origin of the software for the dispatchers.

Miscellaneous Business

Mayor DeGeeter - Thanked everyone for the dialogue regarding the proposed trash fee.

Safety Director - No comment.

Service Director - No comment.

Auditor - No comment.