

MARCH 2, 2015
REGULAR COUNCIL MEETING MINUTES
PARMA CITY HALL COUNCIL CHAMBERS
7:30 PM

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

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

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 G. Dobeck, Auditor Dennis M. Kish, Treasurer Thomas Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, 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, 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 February 17, 2015. Asked if there were any additions or corrections to these Minutes. Stated, hearing none, the Minutes will stand approved as printed.

AMENDMENT TO THE CALENDAR

Motion made by Councilman Tuma, seconded by Councilman Day to amend the Calendar by deleting Ordinance No. 52-15 from Second Reading Suspension and Ordinance No. 59-15 from Suspension of the Rules. Motion carried.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Proposal to Vary for David Bradt, Richard L. Bowen & Associates for the property at 7899 W. Ridgewood (SW Corner Primary Mall property along Day Drive). The Parma Board of Zoning Appeals met on Tuesday, February 10, 2015, for the Applicant David Bradt, PPN 449-25-001. They requested an Area Variance of the CO Section 1170.06 - Commercial Office Districts-Schedule of Lot Area, Width, and Coverage Regulation. The proposal is to create two out lot

parcels at 7899 W. Ridgewood. The proposal is for a 3.52 area lot and a 0.24 acre lot. The variance would result in 1.48 acre and 4.76 less acre lot for 2 out parcel lots in Shopping District.

President Brennan stated that this Variance would be referred to the Planning Committee of Council.

The Proposal to Vary is for William Gallagher for property at 5301 Hauserman Road, PPN 442-01-003. He has requested a Use variance of CO Section 1153.02 - Single Family House Districts - Principal Uses and Buildings. The proposal is to use property in Single Family House District for landscaping business to include business office with storage of landscaping tools and machines, track parking and vehicle maintenance and repair with remainder of office space to be available for lease. This variance would result in allowing landscaping business and business offices in Single Family House District. There is a stipulation that the applicant meet with abutting property owners and to make sure that the buffer is put up according to what the neighbors want.

President Brennan stated that this Variance would be referred to the Planning Committee of Council.

Introduction of Ordinances and Resolutions

FIRST READING:

ORDINANCE NO. 58-15

3/2/15

L-58-15

BY: S. Tuma

(By Request - City Engineer)

AN ORDINANCE ACCEPTING GRANT OF PERMANENT AND/OR TEMPORARY EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF SANITARY SEWERS AND APPURTENANCES LOCATED ALONG RIDGE ROAD BETWEEN DAY DRIVE AND REGENCY DRIVE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan - Said Ordinance to be referred to the Environmental Standards Committee.

ORDINANCE NO. 62-15

3/2/15

L-62-15

BY: B. Day

(By Request - Mayor)

AN ORDINANCE TO REPEAL SECTION 313.035 "USE OF AUTOMATED CAMERAS TO IMPOSE CIVIL PENALTIES UPON SPEEDING VIOLATORS IN ANY SCHOOL ZONE" AND ENACT A NEW SECTION 313.035 AND TO REPEAL SECTION 313.13 "TRAFFIC LAW PHOTO-MONITORING DEVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA AND DECLARING AN EMERGENCY

Mr. Brennan - Said Ordinance to be referred to Public Safety Committee.

ORDINANCE NO. 63-15

3/2/15

L-63-15

BY: S. M. Tuma
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR ASPHALT PLANING, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 64-15

3/2/15

L-64-15

BY: S. M. Tuma
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CONCRETE, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 65-15

3/2/15

L-65-15

BY: S. M. Tuma
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF LIMESTONE, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 66-15

3/2/15

L-66-15

BY: S. M. Tuma
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE 2015 PAVEMENT MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 67-15

3/2/15

L-67-15

BY: S. M. Tuma
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF TACK COAT AND PRIME COAT, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 68-15 3/2/15 L-68-15

BY: S. M. Tuma
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF ASPHALT CONCRETE, AND DECLARING AN EMERGENCY

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

SECOND READING:

RESOLUTION NO. 26-15 2/2/15 L-26-15

BY: S. M. Tuma
(By Request - Law Director)

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE CERTAIN PUBLIC STREETS, ROADS, BOULEVARDS, AND PLACES IN THE CITY OF PARMA, BY PROVIDING STREET LIGHTING, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Resolution No. 26-15 back to the Finance Committee. Motion carried.

RESOLUTION NO. 27-15 2/2/15 L-27-15

BY: S. M. Tuma
(By Request - Law Director)

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PUBLIC STREETS, ROADS, BOULEVARDS, AND PLACES IN THE CITY OF PARMA, BY PROVIDING STREET LIGHTING, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Resolution No. 27-15 back to the Finance Committee. Motion carried.

ORDINANCE NO. 41-15 2/17/15 L-41-15

BY: B. Day
(By Request - City Engineer)

AN ORDINANCE ACCEPTING A GRANT OF EASEMENT BY THE WEST CREEK PRESERVATION COMMITTEE FOR THE INSTALLATION AND MAINTENANCE OF SANITARY SEWERS AND APPURTENANCES IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Divis, seconded by Councilman Day to refer Ordinance No. 41-15 back to the Planning Committee. Motion carried.

ORDINANCE NO. 43-15 2/17/15 L-43-15

BY: D. Lime
(By Request - Community Services & Economic Development Director)

AN ORDINANCE ACCEPTING THE TRANSFER OF VACANT LAND LOCATED AT 6215 RIDGEWOOD AVENUE FROM THE CUYAHOGA COUNTY LAND BANK, AND DECLARING AN EMERGENCY

Motion made by Councilman Divis, seconded by Councilman Day to refer Ordinance No. 43-15 back to the Planning Committee. Motion carried.

ORDINANCE NO. 46-15 2/17/15 L-46-15

BY: B. Day

AN ORDINANCE TO AMEND THE GENERAL OFFENSES CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Lime to refer Ordinance No. 46-15 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 47-15 2/17/15 L-47-15

BY: B. DAY

AN ORDINANCE TO AMEND THE TRAFFIC CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilman Tuma to refer Ordinance No. 47-15 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 48-15 2/17/15 L-48-15

BY: B. Brochetti

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, AND ENACT NEW MATTER IN THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH, AND TO DECLARE AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilman Day to refer Ordinance No. 48-15 back to the Governmental Operations Committee. Motion carried.

THIRD READING:

ORDINANCE NO. 235-14 11/17/14 L-235-14

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

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF A 2015 CHEVROLET 4500 CUTAWAY VAN FOR THE PARMA POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to amend Ordinance No. 235-14 by amending Section 1 to reflect a contract with "Tim Lally Chevrolet, Inc." and the amount of \$59,160.00". Further moved to waive Rule 52 and place amended Ordinance No. 235-14 on Third Reading. Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day to adopt amended Ordinance No. 235-14.

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

No: None: Amended Ordinance No. 235-14 is adopted.

ORDINANCE NO. 24-15 2/2/15 L-24-15

BY: D. Lime
(By Request - City Engineer)

AN ORDINANCE ACCEPTING A GRANT OF EASEMENT BY THE CLEVELAND ELECTRIC ILLUMINATING COMPANY FOR THE INSTALLATION OF A NEW STORM SEWER PIPE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 24-15.

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

No: None; Ordinance No. 24-15 is adopted.

RESOLUTION NO. 25-15 2/2/15 L-25-15

BY: A. Divis, L. Napoli, J. Crossman
(By Request - Service Director)

A RESOLUTION TO EXEMPT CERTAIN PARCELS OF LAND FROM SPECIAL ASSESSMENTS FOR STREET LIGHTS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 25-15.

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

No: None; Ordinance No. 25-15 is adopted.

RESOLUTION NO. 28-15

2/2/15 L-28-15

BY: A. Divis, J. Crossman, B. Brochetti, M. Casselberry, B. Day, V. Dipierro, S. Tuma
(By Request - City Engineer)

A RESOLUTION TO EXEMPT CERTAIN PARCELS OF LAND, UPON MEETING CERTAIN CRITERIA, FROM SPECIAL ASSESSMENTS FOR THE MAINTENANCE OF SANITARY SEWERS, STORM SEWERS, AND WATER MAINS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 28-15.

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

No: None; Resolution No. 28-15 is adopted.

ORDINANCE NO. 37-15

2/2/15 L-37-15

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

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PARMA HEIGHTS FOR A PARTNERSHIP OF HOSTING SUMMER BAND CONCERTS AT ANTHONY ZIELINSKI PARK IN THE CITY OF PARMA AND GREENBRIAR COMMONS IN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 37-15.

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

No: None; Ordinance No. 37-15 is adopted.

* Tuma - Glad to see this program continue.

Mayor - Will have the ice cream ready.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 54-15, Ordinance No. 56-15, Ordinance No. 57-15, Resolution No. 60-15, and Ordinance No. 61-15 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 54-15, Ordinance No. 56-15, Ordinance No. 57-15, Resolution No. 60-15, and Ordinance No. 61-15 be placed on final passage?

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

No: None; motion carried.

RESOLUTION NO. 54-15 3/2/15 L-54-15

BY: B. Day, B. Brochetti, M. Casselberry, J. Crossman, V. Dipierro, A. Divis, D. Lime
S. Tuma
(By Request - Mayor)

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE
TRANSPORTATION OF LIVABLE COMMUNITIES INITIATIVE FOR A
GRANT THROUGH THE NORTHEAST OHIO AREA WIDE COORDINATING
AGENCY (NOACA), AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution
No. 54-15.

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

No: None; Resolution No. 54-15 is adopted.

ORDINANCE NO. 56-15 3/2/15 L-56-15

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

AN ORDINANCE TO AMEND A PORTION OF SECTION 3 OF ORDINANCE
NO. 225-14 RELATIVE TO THE CONTRACT FOR THE REPLACEMENT ROOF
FOR SECTION "A" AT 7335 RIDGE ROAD, FUTURE SITE OF THE REGIONAL
COMMUNICATIONS CENTER IN THE CITY OF PARMA, AND DECLARING AN
EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance
No. 56-15.

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

No: None; Ordinance No. 56-15 is adopted.

* Day - Stated that the "Quarry Creek" District is in its initial stages.

ORDINANCE NO. 57-15 3/2/15 L-57-15

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

AN ORDINANCE TO AMEND A PORTION OF SECTION 3 OF ORDINANCE
NO. 175-14 RELATIVE TO THE CONTRACT FOR ARCHITECTURAL AND
ENGINEERING SERVICES FOR THE 911 CONSOLIDATION PROJECT, AND
DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance
No. 57-15.

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

No: None; Ordinance No. 57-15 is adopted.

RESOLUTION NO. 60-15

3/2/15

L-60-15

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. 60-15.

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

No: None; Resolution No. 60-15 is adopted.

ORDINANCE NO. 61-15

3/2/15

L-61-15

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

AN ORDINANCE TO AMEND THE 2015 TEMPORARY APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 61-15.

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

No: None; Ordinance No. 61-15 is adopted.

Public Session

A young scout came up and was interested in an Ordinance on first reading so we directed him to take the copy that was in the Public book at the back of the room.

Miscellaneous Business

Mayor DeGeeter - Announced the retirement of Ray Frank from Columbia Gas.

Safety Director - No comment

Service Director - No comment

Auditor - No comment

Law Director - No comment

Treasurer - No comment

Councilman Brochetti - Announced his Ward 7 meeting on Wednesday.

Councilman Casselberry - Caught a city crew helping a stuck resident and was very pleased to see it. Mentioned the St. Baldrick hair cutting on March 13 at St. Charles. He is participating.

Councilman Crossman - Kudos for the successful Blues for Greens fundraiser. Announced a Ward 9 & Ward 1 meeting on April 1st.

Councilman Day - No comment

Councilman Dipierro - No comment

Councilman Divis - Advised every one to "spring ahead" this weekend.

Councilwoman Lime - Read a letter regarding the closing of the pools this summer.

Councilman Tuma - Announced the Budget hearing at 6 PM on March 9 and March 11.
Mayor will provide the spreadsheets. Commented on the retirement of Mr. Frank and how he will be missed.

President Brennan - Commented on the Chamber of Commerce ball at St. Josaphats being very nice. Commented on the suicides on the Daily Police report. Would like to start a program to address this growing situation. Stated that Parma High is having a fish fry on Friday from 3-7:30 PM.

Report on Absent Members

Motion made by Councilman Day, seconded by Councilman Casselberry to excuse Councilman Larry Napoli. Motion carried.

Adjournment

Motion made by Councilman Tuma, seconded by Councilman Day, to adjourn said Regular Council Meeting at 8:18 PM. Motion carried.

C E R T I F I C A T I O N

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, March 2, 2015.

 /s/ Kenneth A. Ramser
KENNETH A. RAMSER
CLERK OF COUNCIL

 /s/ Sean P. Brennan
SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Compiled 3/11/15
llc