

MINUTES
JULY 6, 2021
REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
7:01 P.M.

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

COUNCIL MEMBERS PRESENT: ROY J. JECH
LINDA A. KOHAR
DEBORAH LIME
LARRY NAPOLI
KRISTIN L. SABAN
MARK CASSELBERRY
VITO DIPIERRO
ALLAN DIVIS

COUNCIL MEMBERS EXCUSED: KAMMY SHUMAN

Mr. Ramser – Mr. Chairman, 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, Chief Assistant Law Director Tim Miller, Auditor Brian Day, Treasurer Tom Mastroianni, Safety Director Tom Weinreich, City Engineer Hasmukh Patel and Clerk of Council Kenneth A. Ramser.

INVOCATION

The Invocation was given by Father Joshua Cochrac – St. Charles Borromeo Parish

PLEDGE OF ALLEGIANCE

Council recessed at 7:03 P.M. to continue with Committee Meetings and reconvened the Council Meeting at 7:39 P.M.

VOICE VOTE:

RESOLUTION NO. 127-21 7/6/21
BY: K. SHUMAN, M. CASSELBERRY, V. DIPIERRO, A. DIVIS,
R. J. JECH, L. A. KOHAR, D. LIME, L. NAPOLI, K. L. SABAN

A RESOLUTION HONORING DON HINTE ON HIS RETIREMENT FROM
THE AMERICAN LEGION POST 703

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 127-21. Motion carried. Resolution will be presented at a celebration on July 9, 2021.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the Minutes from the Regular Council Meeting held on June 21, 2021. Asked if there were any additions or corrections to the Minutes? Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the applicant Frank Piasecki, 7646 Ridge Road. The request is for an "Area" Variance of Section 1153.03 (a) Single Family House Districts – Accessory Uses and Buildings.

Motion made by Councilman Divis seconded by Councilman Jech to grant the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the applicant Benjamin Burkhart – Parma Storage, LLC, for property located at 7792, 7800 & 7806 Broadview Road. The request if for an "Area" Variance of Section 1197.05 (41) Schedule of Required Parking.

Motion made by Councilman Divis seconded by Councilman Jech to grant the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the applicant Khaled Tabbaa for property at 8205 Newport Avenue. The first request is for an "Area" Variance of Section 1193.01 Residence Districts; space between buildings. The second request is for an "Area" Variance of Section 1193.02 Single or Two Family House Districts.

Motion made by Councilman Divis seconded by Councilman Jech to grant the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

Request from the Ohio Division of Liquor Control for a Transfer of a D1 and D2 Permit from Kims Restaurant LLC, dba Seoul Restaurant, 5270 Pearl Road, Parma, Ohio 44129. To KYU Young LLC, dba Seoul Restaurant, 5270 Pearl Road, Parma, Ohio 44129. Mailed June 21, 2021. Responses must be postmarked no later than July 22, 2021.

Mr. Brennan – Said Liquor Permit was referred to Council and Safety Director.

Request from the Ohio Division of Liquor Control for a Transfer of a D1, D2, D3 and D3A Permit from KRP Entertainment LLC, dba Number One Lounge, 5555 Ridge Road, Parma, Ohio 44129. To 5555 Ridge Road, LLC, 5555 Ridge Road, Parma, Ohio 44129. Mailed June 30, 2021. Responses must be postmarked no later than August 2, 2021.

Mr. Brennan – Said Liquor Permit was referred to Council and Safety Director.

Card received from Father Jacob Bearer thanking Council for the invitation to give the Invocation.

AMENDMENT TO THE CALENDAR

Motion made by Councilman Jech seconded by Councilman Casselberry to amend the Calendar by removing Ordinance No. 108-21 under SUSPENSION OF THE RULES. Motion carried.

FIRST READING:

ORDINANCE NO. 106-21

7/6/21

BY: R. J. JECH

AN ORDINANCE TO AMEND SECTION 1189.08 "FRONT YARD LINE EXCEPTIONS" IN CHAPTER 1189 "FRONT YARDS" OF PART ELEVEN "PLANNING AND ZONING CODE" OF THE PARMA CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Planning Committee and Planning Commission.

ORDINANCE NO. 120-21

7/6/21

BY: K. L. SABAN
(By Request – Law Director)

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PUBLIC STREETS, ROADS, BOULEVARDS AND PLACES IN THE CITY OF PARMA, OHIO, BY PROVIDING STREET LIGHTING, AND DECLARING AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 113-21

6/21/21

BY: D. LIME, M. CASSELBERRY
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2021 SIDEWALK, CURB AND CATCH BASIN PROJECT AND FOR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF ALL DESIGNATED BLIGHTED SECTIONS OF RESIDENTIAL PUBLIC SIDEWALK, CURB AND CATCH BASIN, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 113-21 back to the Finance Committee. Motion carried.

ORDINANCE NO. 114-21

6/21/21

BY: D. LIME, M. CASSELBERRY
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2021 STREETSCAPE IMPROVEMENT PROJECT AND FOR THE DIRECTOR OF PUBLIC SERVICE TO

ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF ALL DESIGNATED BLIGHTED SECTIONS OF COMMERCIAL CURB, PUBLIC SIDEWALK, CATCH BASIN AND TREE LAWN, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 114-21 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 107-21 on three different days be dispensed with?

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; motion carried.

BY: L. NAPOLI, R. J. JECH, L. A. KOHAR, D. LIME, K. L. SABAN, M. CASSELBERRY,
V. DIPIERRO, A. DIVIS
(By Request – Mayor) ORDINANCE NO. 107-21 6/21/21

AN ORDINANCE TO ACCEPT THE ASSIGNMENT OF A GIFT OF REAL PROPERTY FROM THE CLEVELAND METROPARKS, KNOWN AS PERMANENT PARCEL NUMBER 452-36-051 IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Divis seconded by Councilman Casselberry to amend Ordinance No. 107-21 by inserting June 24, 2021 in the first Whereas Clause. Motion carried.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 107-21 as amended.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Ordinance No. 107-21 is adopted as amended.

THIRD READING:

BY: K. L. SABAN ORDINANCE NO. 2-21 4/5/21
(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, OHIO, BY PROVIDING STREET LIGHTING, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Ordinance No. 2-21 by inserting May 3, 2021 in Section 1, line 5. Further moved to waive Rule 52 and place Ordinance No. 2-21 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 2-21 as amended.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Ordinance No. 2-21 is adopted as amended.

RESOLUTION NO. 81-21

5/3/21

BY: K. L. SABAN
(By Request – Auditor)

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF PARMA,
OHIO, FOR THE YEAR 2022, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Resolution No. 81-21 by accepting Exhibit "A". Further moved to waive Rule 52 and place Resolution No. 81-21 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 81-21 as amended.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Resolution No. 81-21 is adopted as amended.

ORDINANCE NO. 103-21

6/7/21

BY: V. DIPIERRO
(By Request – Public Housing Executive Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE
NO. 348-04 TO ADD THE POSITIONS OF "COMPLIANCE/QUALITY CONTROL
COORDINATOR" AND "PROJECT-BASED/WAIT LIST MANAGER" WITHIN PUBLIC
HOUSING AGENCY, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 103-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Ordinance No. 103-21 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 119-21, Ordinance No. 121-21, Resolution No. 122-21, Ordinance No. 123-21, Resolution No. 124-21, Ordinance No. 125-21 and Ordinance No. 126-21 on three different days be dispensed with?

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 119-21, Ordinance No. 121-21, Resolution No. 122-21, Ordinance No. 123-21, Resolution No. 124-21, Ordinance No. 125-21 and Ordinance No. 126-21 be placed on final passage?

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; motion carried.

RESOLUTION NO. 119-21

7/6/21

BY: K. L. SABAN, R. J. JECH, L. A. KOHAR, D. LIME, L. NAPOLI, M. CASSELBERRY,
V. DIPIERRO, A. DIVIS

A RESOLUTION IN SUPPORT OF SENATE BILL 164, AND DECLARING
AN EMERGENCY

Councilwoman Saban – Stated that this Resolution is in support of stiffening the penalties for Goddard’s Law. Feels it is a very good piece of Legislation in Columbus.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 119-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Resolution No. 119-21 is adopted.

ORDINANCE NO. 121-21

7/6/21

BY: K. L. SABAN
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2021 PERMANENT APPROPRIATIONS OF
THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Auditor Day – Stated, there are two items to be amended. He already addressed Fund 192 the American Rescue Plan. Fund 781 for \$750,000 is the First Energy Solutions Financial Obligation Fund. Stated when we contracted with First Energy Solutions for our Aggregation Program, we required them to put up a \$750,000 Cash Bond. Since we are no longer contracted with First Energy, we need to return their Cash Bond.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 121-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Ordinance No. 121-21 is adopted.

RESOLUTION NO. 122-21

7/6/21

BY: K. L. SABAN, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, R. J. JECH,
L. A. KOHAR, D. LIME, L. NAPOLI

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE
TO ENTER INTO AN AGREEMENT WITH WEST CREEK CONSERVANCY
TO UNDERTAKE ALL OBLIGATIONS ON BEHALF OF THE CITY FOR THE
COUNTY TREE PLANTING GRANT, INCLUDING THE PURCHASING OF
TREES, PLANTING OF TREES AND ALL ADMINISTRATIVE FUNCTIONS,
AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 122-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Resolution No. 122-21 is adopted.

ORDINANCE NO. 123-21

7/6/21

BY: D. LIME, R. J. JECH, L. A. KOHAR, L. NAPOLI, K. L. SABAN, M. CASSELBERRY,
V. DIPIERRO, A. DIVIS
(By Request – Safety Director)

AN ORDINANCE TO AMEND SECTION 1 OF ORDINANCE NO. 63-21,
FOR THE "SPECIAL POLICE UNIT" AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt
Ordinance No. 123-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Ordinance No. 123-21 is adopted.

RESOLUTION NO. 124-21

7/6/21

BY: K. L. SABAN
(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 Jech seconded by Councilman Casselberry to adopt
Resolution No. 124-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Resolution No. 124-21 is adopted.

ORDINANCE NO. 125-21

7/6/21

BY: V. DIPIERRO, D. LIME, M. CASSELBERRY
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT
BETWEEN THE CITY OF PARMA AND THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE REPAIR AND RESURFACING OF PEARL ROAD
FROM SNOW ROAD TO BROOKPARK ROAD AS AN ODOT-LET, LPA AGREEMENT
UNDER THE TERMS AND CONDITIONS OF THE FINAL RESOLUTION, AND
DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt
Ordinance No. 125-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Ordinance No. 125-21 is adopted.

ORDINANCE NO. 126-21

7/6/21

BY: K. L. SABAN, R. J. JECH, L. A. KOHAR, D. LIME, L. NAPOLI, M. CASSELBERRY,
V. DIPIERRO, A. DIVIS.
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC
SERVICE TO ENTER INTO AN AGREEMENT WITH THE TERRACE CONSTRUCTION
COMPANY TO RESURFACE PORTIONS OF BROOKDALE AVENUE, FORTUNE

AVENUE AND GROVEWOOD AVENUE AFTER THE COMPLETION OF THE NEW WATERLINE MAIN AND SERVICE CONNECTIONS, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 126-21.

Yes: Jech, Kohar, Lime, Napoli, Saban, Casselberry, Dipierro, Divis.

No: None; Ordinance No. 126-21 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Commented on the reopening of the Senior Center today. Good news.

Safety Director – No comment.

Auditor Day – No comment.

Law Director Dobeck – No comment.

Treasurer Mastroianni – No comment.

Councilwoman Saban – Thanked Council for their support and adding their names to Ordinance No. 126-21. The residents of Grovewood, Brookdale and Fortune appreciate it.

Councilwoman Kohar – Commented on Dairy Queen’s ice cream give away at the next Summer Band Concert.

Mayor DeGeeter – Stated it is the Mayor’s Ice Cream Social and they will be handing out Dilly Bars.

Councilwoman Lime – Commented that Brayson’s Ice Cream will also be there.

Motion made by Councilman Jech seconded by Councilman Casselberry to dispense with the remainder of Round Robin. Motion carried.

REPORT ON ABSENT MEMBERS

Motion made by Councilman Jech seconded by Councilman Napoli to excuse Councilwoman Shuman from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Jech seconded by Councilman Napoli to adjourn said meeting at 8:05 P.M.

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 Tuesday, July 6, 2021.

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

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