

**MINUTES
FEBRUARY 22, 2022
REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
8:17 P.M.**

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

COUNCIL MEMBERS PRESENT: ALLAN DIVIS
ROB EUERLE
LINDA A. KOHAR
KEVIN C. KUSSMAUL
DEBORAH LIME
KRISTIN L. SABAN
KAMMY SHUMAN
MARK CASSELBERRY
VITO DIPIERRO

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, Law Department Milos Veljkovic Auditor Brian Day, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Thomas Weinreich, Building Commissioner Paul Deichmann, City Engineer Has Mukh Patel, Communications and Community Relations Director Carolyn Kovach, Recreation Commissioner Mickey Vittardi, Chief of Staff Rich Summers and Clerk of Council Kenneth A. Ramser.

INVOCATION

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

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 24-22

2/22/22

BY: **D. LIME**, A. DIVIS, R. EUERLE, L. A. KOHAR, K. C. KUSSMAUL, K. L. SABAN,
K. SHUMAN, M. CASSELBERRY, V. DIPIERRO

A RESOLUTION RECOGNIZING PARMA AS THE PACZKI CAPITAL OF OHIO

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 24-22. Motion carried. Resolution will be presented to various establishments.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the minutes from the February 7, 2022 Regular Council Meeting. 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

Request received from Ohio Division of Liquor for a new D5 liquor permit for PL & L LLC, DBA Provolone Pizzeria, 5705 Broadview Rd. Parma, Oh 44134. Mailed February 9, 2022. Responses must be postmarked no later than March 14, 2022.

Mr. Brennan – Said Liquor Permits were referred to Council and Safety Director.

2021 City of Parma Police Department Annual Report (On file in Council Office)

Recognition of Parma Police Citizen’s Police Academy Winter Session 2021.

Mr. Ramser – Read the following Variance into the record:

The Parma Board of Zoning Appeals met on Tuesday Feb. 8, 2022 at 6:30 pm and PROPOSED TO “VARY, subject to the provisions of amended Ordinance 1127.13 (confirmation Or rejection by Council within forty days of the receipt of this notice) FOR THE APPLICANT Ann Little of Chesterfield Terrace Limited Partnership, 500 S. Front St., 10th Floor, Columbus OH 43215 for property located at 6500 Powers Blvd. PPN 450-12-018

After discussion Mr. Ziefle made the following recommendation:

“I make a motion that we recommend to Council to DENY Ann Little of Chesterfield Terrace Limited Partnership, 500 S. Front Street, 10th floor, Columbus, OH 43215 as requested an “Area” variance of the City of Parma Codified Ordinances of Section 1109.08 USES PROHIBITED IN WETLAND SETBACKS. The proposal is to impact a wetland to disturb, fill in wetland and construct parking aisle, curb and yard walk at 6500 Powers Blvd. Any use not authorized under these regulations shall be prohibited in wetland setbacks. By way of example, the following uses are specifically prohibited:

(a) Construction. There shall be no structures of any kind except as permitted under these regulations.

(b) Dredging or dumping. There shall be no drilling, filling, dredging, or dumping of soil, spoils, liquid, or solid materials, except for noncommercial composting of uncontaminated natural materials and except as permitted under these regulations.

(c) There shall be no roads or driveways.

(d) There shall be no use of motorized vehicles of any kind, except as permitted under these regulations.

(e) There shall be no disturbance, including mowing, of the natural vegetation, except for such conservation maintenance that the landowner deems necessary to control noxious weeds; for such plantings as are consistent with these regulations; and for such disturbances as are approved under these regulations and for the passive enjoyment, access, and maintenance of landscaping or lawns existing at the time of passage of this regulation. Nothing in this section shall be construed as requiring a landowner to plant or undertake any other activities in wetland setbacks provided the landowner allows for natural succession.

(f) There shall be no parking lots.

This variance would result in allowing to impact a wetland. The PPN 450-12-018. By denying this variance the characteristic of the neighborhood would be substantially altered. By denying this variance the spirit and intent of the zoning and building requirements would be observed.” Proposal to Vary – property at 6500 Powers Blvd. BZA meeting 2/8/22 Mr. Mastrobuono second the motion. Mr. Ziefle, Mr. Mastrobuono, Mrs. Green and Mr. O’Connor voted yes. Board of Zoning Appeal’s recommendation to Council to deny this variance.

Motion made by Councilman Divis seconded by Councilman Casselberry to refer the variance for Anne Little at 6500 Powers Blvd., back to the Board of Zoning and Appeals as moot. Motion Carried.

FIRST READING:

ORDINANCE NO. 12-22

2/22/22

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS TO COMMIT \$2 MILLION DOLLARS (\$2,000,000.00) OF AMERICAN RESCUE PLAN ACT FUNDS (ARPA) FOR VARIOUS INFRASTRUCTURE PROJECTS IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 18-22

2/22/22

BY: D. LIME
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR THE PROVISION OF MEDICAL CARE FOR THE PARMA DETENTION CENTER, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 25-22

2/22/22

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

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION (b) "RECREATION DEPARTMENT" OF SECTION 185.05 "FEES OF THE DIRECTOR OF PUBLIC SERVICE", RELATIVE TO THE RIDGEWOOD MUNICIPAL GOLF COURSE FEES OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 10-22

2/7/22

BY: K. L. SABAN
(By Request – Building Commissioner)

AN ORDINANCE TO AMEND CHAPTER 1121 AND SECTION 1173.03 (F) (2) OF THE PARMA ZONING CODE RELATIVE TO CAR WAS USES IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Divis seconded by Councilman Casselberry to refer Ordinance No. 10-22 back to the Planning Committee. Motion Carried.

RESOLUTION NO. 11-22

2/7/22

BY: K. L. SABAN, A. DIVIS
(By Request – Service Director)

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

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Exhibit "A" of Resolution No. 11-22 as follows: 446-24-028 shall read 446-24-027. Please add 446-24-028/029, exempt and part of West Creek Recreation. Motion Carried.

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer as amended Resolution No. 11-22 back to the Finance Committee. Motion Carried.

ORDINANCE NO. 13-22

2/7/22

BY: A. DIVIS
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) THROUGH THE COMMUNITY COST-SHARE PROGRAM (CCS) FOR THE BIG CREEK FLOOD REDUCTION PROJECT NEAR SPRAGUE ROAD (EAST OF STATE ROAD) IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 13-22 back to the Finance Committee. Motion Carried.

ORDINANCE NO. 15-22

2/7/22

BY: D. LIME

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

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Ordinance No. 15-22 back to the Public Safety Committee. Motion Carried.

ORDINANCE NO. 16-22

2/7/22

BY: K. SHUMAN

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 Councilwoman Shuman seconded by Councilman Casselberry to refer Ordinance No 16-22 back to the Governmental Operations Committee. Motion Carried.

ORDINANCE NO. 17-22

2/7/22

BY: D. LIME

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

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Ordinance No. 17-22 back to the Public Safety Committee. Motion Carried.

THIRD READING:

ORDINANCE NO. 206-21

11/15/21

BY: L. KOHAR
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT OF PERMANENT STORMWATER EASEMENTS IN CERTAIN PREMISES KNOWN AS PERMANENT PARCEL NUMBER 449-24-029 AND PERMANENT PARCEL NUMBER 449-22-044 FOR THE UPPER RIDGEWOOD BASIN IMPROVEMENT PROJECT WHICH WILL GRANT AN EASEMENT TO THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR THE INSTALLATION, CONTRUCTION, MAINTENANCE, AND REPLACEMENT OF STORMWATER FACILITIES AT 7620 W. RIDGEWOOD DRIVE AND KELTONSHIRE ROAD, IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to adopt Ordinance No. 206-21.

Yes: Divis, Euerle,* Kohar,*Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; Ordinance No. 206-21 is adopted.

*Councilwoman Lime- Shared the many memories of Ridgewood Lake, and that this was a very difficult vote.

*Councilwoman Kohar – Stated that it was a very difficult vote, but she did it for the greater good of the people.

RESOLUTION NO. 1-22

1/18/22

BY: K. L. SABAN

A RESOLUTION TO DESIGNATE THE CLERK OF COUNCIL AND THE CHIEF DEPUTY CLERK OF COUNCIL AS THE DISIGNEES OF THE COUNCIL OF THE CITY OF PARMA TO ATTEND THE REQUIRED PUBLIC RECORDS TRAINING AS MANDATED BY STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to adopt Resolution No. 1-22.

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; Resolution No. 1-22 is adopted.

BY: **L. A. KOHAR, R. EUERLE**, A. DIVIS, K. C. KUSSMAUL, D. LIME, K. L. SABAN, K. SHUMAN, M. CASSELBERRY, V. DIPIERRO
(By Request: City Engineer)

A RESOLUTION REQUESTING CUYAHOGA COUNTY TO PROCEED WITH THE RESURFACING OF WEST RIDGEWOOD DRIVE FROM RIDGE ROAD TO STATE ROAD RESOLVING TO PAY ONE HUNDRED PERCENT (100%) OF THE CONSTRUCTION AND CONSTRUCTION SUPERVISION OF THE TRAFFIC SIGNAGE AND ASSOCIATED WORK WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to adopt Resolution No. 4-22.

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; Resolution No. 4-22 is adopted.

SUSPENSION OF THE RULES :

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 20-22, Ordinance No. 21-22, Ordinance No. 22-22, Resolution No. 23-22, and Resolution No. 26-22 on three different days be dispensed with?

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 20-22, Ordinance No. 21-22, Ordinance No. 22-22, Resolution No. 23-22 and Resolution No. 26-22 be placed on final passage?

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; motion carried.

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

AN ORDINANCE TO AMEND THE 2022 TEMPORARY APPROPRIATIONS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No 20-22.

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; Ordinance No. 20-22 is adopted.

BY: **D. LIME**, A. DIVIS

AN ORDINANCE TO AMEND SECTION 313.035 "TRAFFIC LAW PHOTO-MONITORING DEVICES" WITHIN CHAPTER 313 "TRAFFIC CONTROL DEVICES" OF PART 13 "TRAFFIC CODE" OF THE CODIFIED ORDINANCES OF THE CTIY OF PARMA, RELATIVE TO PHOTO ENFORCEMENT WITHIN THE CITY, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to accept revised Exhibit "A" of Ordinance No. 21-22. Motion carried.

Motion made by Councilwoman Saban seconded by Councilman Casselberry to adopt Ordinance No. 21-22 as amended.

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; Ordinance No. 21-22 is adopted as amended.

ORDINANCE NO. 22-22

2/22/22

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH SOUTH EAST GOLF CAR CO. FOR GOLF CART RENTAL AND MAINTENANCE, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 22-22.

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; Ordinance No. 22-22 is adopted.

RESOLUTION NO. 23-22

2/22/22

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 Councilwoman Saban seconded by Councilman Casselberry to adopt Resolution No. 23-22.

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro.

No: None; Resolution No. 23-22 is adopted.

BY: **D. LIME**, A. DIVIS, L. A. KOHAR, K. L. SABAN, K. SHUMAN, M. CASSELBERRY
(By Request – Mayor)

A RESOLUTION SUPPORTING THE CITY OF PARMA – CUYAHOGA
COUNTY HEALTHY URBAN TREE CANOPY GRANT PROGRAM
APPLICATION, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to
adopt Resolution No. 26-22.

Yes: Divis, Euerle, Kohar, Lime, Kussmaul, Saban, Shuman, Casselberry, Dipierro

No: None; Resolution No. 26-22 is adopted.

PUBLIC SESSION

Jayson Gnall, Roycroft Dr. – Stated his disappointment with the passing of the
Ridgewood Lake legislation.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – No Comment

Service Director Higgins – No Comment

Safety Director Weinreich – No Comment

Auditor Day – No Comment

Treasurer Mastroianni – No Comment

Law Department , Milos Veljkovic – No Comment

Councilman Kussmaul – Thanked the Service Director and the Service Department for all
the help they give the residents. Councilman Kussmaul also asked Clerk of Council Ken Ramser
if there was a date set for the swearing in Ceremony of Council.

Clerk of Council Kenneth Ramser – Stated that he was hoping to have it by late March.

Motion made by Councilman Divis seconded by Councilwoman Shuman to dispense with
the remainder of the Round Robin. Motion carried.

REPORT ON ABSENT MEMBERS

ADJOURNMENT

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adjourn
said meeting at 8:49 P.M. Motion carried.

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, February 22, 2022.

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

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

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