

FEBRUARY 18, 2014
PARMA CITY HALL COUNCIL CHAMBER
REGULAR COUNCIL MEETING
7:15 P.M.

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

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

COUNCIL MEMBERS ABSENT: BRIAN BROCHETTI
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 Gregory Baeppler, Director of Human Resources Thomas Weinreich, Community Development Director Erik Tollerup, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky, and Clerk of Council Kenneth A. Ramser.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led this evening by Cub Scout Pack 73 from St. Charles. Pack Leader is Phil Walczak.

VOICE VOTE:

RESOLUTION NO. 28-14 2/18/14 L-28-14

BY: **M. CASSELBERRY**, B. BROCHETTI, J. CROSSMAN, B. DAY, V. DIPIERRO, A. DIVIS,
D. LIME, L. NAPOLI, S. M. TUMA

A RESOLUTION HONORING DEBI TREBISKY
CITIZEN OF THE MONTH – FEBRUARY, 2014

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to adopt Resolution No. 28-14. Motion carried.

Mr. Brennan – Asked Debi Trebisky and her family to come forward and that the Clerk of Council read the Resolution in its entirety.

Councilman Casselberry – Presented the Resolution, along with a Certificate from the Law Department, to Debi Trebisky.

Mayor DeGeeter – Presented a Proclamation to Debi Trebisky.

Debi Trebisky – Thanked everyone.

LEGISLATIVE COMMENT

Mr. Brennan – Asked if there are any members from the public who would like to speak on any of the items on which Council will be taking final action on this evening. No one wished to speak.

ORDINANCES AND RESOLUTIONS

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to amend the Calendar as follows: Please remove Ordinance No. 26-14 from Suspension of the Rules and place it on First Reading immediately following Ordinance No. 25-14. Motion carried.

DISPOSAL OF THE JOURNAL

Mr. Brennan – Stated, you have before you this evening the Minutes from the January 21, 2014 Regular Council Meeting and the February 3, 2014 Regular Council Meeting. Asked if there were any additions or corrections to these Minutes? Stated, hearing none, these Minutes will stand approved as printed.

FIRST READING:

ORDINANCE NO. 23-14 2/18/14 L-23-14

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 DECLARING
AN EMERGENCY

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

ORDINANCE NO. 24-14 2/18/14 L-24-14

BY: **B. DAY**

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

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

ORDINANCE NO. 25-14 2/18/14 L-25-14

BY: **B. DAY**

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

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

FIRST READING CONTINUED:

ORDINANCE NO. 26-14

2/18/14

L-26-14

BY: **L. NAPOLI**

(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT FOR THE YEAR 2014 FOR TASKS RELATED TO PUBLIC EDUCATION, PUBLIC INVOLVEMENT, PLAN REVIEWS AND CONSTRUCTION SITE INSPECTION ACTIVITIES WITH REGARD TO THE ANNUAL NPDES PERMIT FOR STORM WATER MANAGEMENT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

RESOLUTION NO. 27-14

2/18/14

L-27-14

BY: **B. BROCHETTI**

(By Request – City Engineer)

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE BAGLEY ROAD, NORTH LINDEN LANE, PLEASANT VALLEY ROAD AND WEST 130TH STREET (PART OF THE BAGLEY- PLEASANT VALLEY ROAD PROJECT BY CUYAHOGA COUNTY) IN THE CITY OF PARMA, OHIO, BY PROVIDING THE INSTALLATION OF SANITARY SEWERS AND DECLARING AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 287-13

2/18/14

L-287-13

BY: **BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, D. LIME, L. NAPOLI, S. M. TUMA,**
(By Request – City Engineer)

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION (H) "OTHER BUSINESS USES" OF SECTION 1170.03 "SCHEDULE OF PERMITTED BUILDINGS AND USES," RELATIVE TO THE ADDITION OF ITEM NO. 13 "CREDIT SERVICE ORGANIZATION, LOANS ON MOTOR VEHICLE TITLE BUSINESS, OR OTHER SIMILAR BUSINESS" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Divis, seconded by Councilman Tuma, to refer Ordinance No. 287-13 back to the Planning Committee. Motion carried.

SECOND READING SUSPENSION OF THE RULES:

ORDINANCE NO. 15-14 2/3/14 L-15-4

BY: **S. M. TUMA**
(By Request – Service Director)

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

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 15-14 on three different days be dispensed with?

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

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilman Napoli, to adopt Ordinance No. 15-14.

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

No: None; Ordinance No. 15-14 is adopted.

THIRD READING:

ORDINANCE NO. 284-13 12/2/13 L-284-13

BY: **S. M. TUMA**
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR MUNICIPAL EXCESS LIABILITY INSURANCE FOR THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to amend Ordinance No. 284-13 by filling in the first blank in Section 1 with "Governmental Underwriters America". The second blank shall read "\$107,705.00". Also, waive Rule 52 and place Ordinance No. 284-13 on Third Reading as amended for passage. Motion carried.

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to adopt Ordinance No. 284-13 as amended.

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

No: None; Ordinance No. 284-13 is adopted as amended.

ORDINANCE NO. 285-13 12/2/13 L-285-13

BY: **S. M. TUMA**
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR SPECIAL MULTI-PERIL INSURANCE INCLUDING CONTENTS AND BOILERS, AND DECLARING AN EMERGENCY

THIRD READING CONTINUED:

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to amend Ordinance No. 285-13 by filling in the first blank in Section 1 with "Governmental Underwriters America". The second blank shall read "\$94,576.00". Also, waive Rule 52 and place Ordinance No. 285-13 on Third Reading as amended for passage. Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Casselberry, to adopt Ordinance No. 285-13 as amended.

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

No: None; Ordinance No. 285-13 is adopted as amended.

ORDINANCE NO. 10-14 1/21/14 L-10-14

BY: **S. M. TUMA**
(By Request – Law Director)

AN ORDINANCE TO AMEND SUBSECTION (d) OF SECTION
131.01 "PETTY CASH ACCOUNTS" OF THE CODIFIED
ORDINANCES OF THE CITY OF PARMA, AND DECLARING
AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Napoli, to adopt Ordinance No. 10-14.

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

No: None; Ordinance No. 10-14 is adopted.

ORDINANCE NO. 11-14 1/21/14 L-11-14

BY: **S. M. TUMA, D. LIME, L. NAPOLI, M. CASSELBERRY, J. CROSSMAN, V. DIPIERRO, A. DIVIS**
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC
SAFETY TO MAKE PAYMENT TO CODY COMPUTER SERVICES,
INC., FOR THE ANNUAL SUPPORT SERVICE TO CODY
RMS/CAD/MOBILE DATE TERMINALS FOR THE POLICE
DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to adopt Ordinance No. 11-14.

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

No: None; Ordinance No. 11-14 is adopted.

SUSPENSION OF THE RULES:

RESOLUTION NO. 22-14 2/18/14 L-22-14

BY: **S. M. TUMA, M. CASSELBERRY, J. CROSSMAN, V. DIPIERO, A. DIVIS, D. LIME,
L. NAPOLI**

A RESOLUTION REQUESTING THE STATE LEGISLATURE
TO REGULATE MOTOR VEHICLE TITLE LOAN BUSINESSES,
AND DECLARING AN EMERGENCY

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 22-14 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 22-14 be placed on final passage?

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

No: None; motion carried.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry, to amend Resolution No. 22-14 by having Section 2. read as follows: That the Clerk of Council is hereby directed to forward a true and accurate copy of this Resolution to Governor John Kasich and all State Senators and State Representatives in the Cuyahoga County Delegation. Motion carried.

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to adopt Resolution No. 22-14 as amended.

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

No: None; Resolution No. 22-14 is adopted as amended.

*Tuma – Commended his colleagues who added their names to this piece of legislation and thanked the Administration for their assistance on this.

ORDINANCE NO. 29-14

2/18/14

L-29-14

BY: **S. M. TUMA**

(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2014 TEMPORARY
APPROPRIATIONS OF THE CITY OF PARMA, OHIO,
AND DECLARING AN EMERGENCY

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 29-14 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 29-14 be placed on final passage?

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

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to adopt Ordinance No. 29-14.

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

No: None; Ordinance No. 29-14 is adopted.

RESOLUTION NO. 30-14

2/18/14

L-30-14

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

SUSPENSION OF THE RULES CONTINUED:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 30-14 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 30-14 be placed on final passage?

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

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilwoman Lime, to adopt Resolution No. 30-14.

Councilwoman Lime – Stated her concern is that some of the bills are from 2013. This year's budget is a tight budget and when we have to pay last year's bills in this year's budget, it makes it kind of difficult.

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

No: None; Resolution No. 30-14 is adopted.

PUBLIC SESSION

Woman, 2805 North Avenue – Safety Director spoke last week regarding an incident in Parma involving a Pit Bull. Animal Control Officer investigated the situation on February 7, 2014, regarding a dog fight. Owners tried to break it up and were bitten. The dogs were both bitten. The owner, David, surrendered the Pit Bull to Animal Control and he retained custody of the American Bull Dog. The Pit Bull was going to be euthanized. The Pit Bull had more bites on it.

Related another incident. Felt this could have happened with other breeds.

Denise Gushweinder, Vice President of Animal Guardians for a Prosperous Parma – Stated that the Mayor felt there were less Pit Bull bites because of our Parma Ordinance. Stated, residents in Parma have called to have the ban lifted. Stated, Pit Bulls are not anymore dangerous or vicious than any other breed. Parma has an average of 7 dog bites per month. These bites were not Pit Bull related.

Woman – Stated, Cleveland approved changes to their vicious dog ordinance in June, 2011, requiring that dogs be classified based on behavior, not type or breed. Any dog can be raised by an irresponsible owner and become vicious if put in irresponsible positions.

Pat Vogel, Pooch Patrol, Animal Abuse Awareness Group – Believes highly in education. Fear is a big factor in this. Odds are high about having a dog bite kill a person. We need to focus on the breeders. No longer allowed to have a breed specific ordinance in Lima, Ohio.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Stated that Congressman Renacci will have an open house this weekend. State of the City Address is next Monday at Stow Road Library and Auditorium at 7:00 p.m. Congratulated Councilman Brochetti on the birth of their daughter born on 2/13/14.

Safety Director Baeppler – Reminded that April 26, 2014, will be the Safety Fair.

Service Director Higgins – Stated, he will take a look at some of the cross streets.

Auditor Kish – No comment.

Law Director Dobeck – No comment.

MISCELLANEOUS BUSINESS CONTINUED:

Treasurer Mastroianni – No comment.

Councilman Dipierro – No comment.

Councilman Divis – Thanked Mayor DeGeeter, Law Director Dobeck, Safety Director Baepler, and Detective Kevin Riley for attending the Safety Meeting.

Councilwoman Lime – No comment.

Councilman Napoli – Reminded everyone that March 8th is the Blues for Greens Fund Raiser. Tickets are available.

Councilman Tuma – Thanked Mayor DeGeeter, Law Director Dobeck, Safety Director Baepler, Detective Riley as well as Mr. Divis for attending and presenting at the Safety Meeting. Congratulated Councilman Brochetti on the birth of his daughter.

Councilman Casselberry – Congratulated Councilman Brochetti on the birth of his daughter.

Councilman Crossman – No comment.

Mr. Brennan – Commended Councilmen Tuma and Divis for the Safety Meeting they had last week. Praised the Police Officers. Congratulated Councilman Brochetti on the birth of his daughter. Congratulated the Cleveland Metroparks with the new stewardship center on West Ridgewood.

REPORT ON ABSENT MEMBERS

Motion made by Councilman Casselberry, seconded by Councilwoman Lime, to excuse Councilman Brian Brochetti and Councilman Brian Day. Motion carried.

ADJOURNMENT

Motion made by Councilwoman Lime, seconded by Councilman Napoli, to adjourn said regular Council Meeting. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be a true and correct copy of the Minutes from the regular Council Meeting held on Tuesday, February 18, 2014.

/s/ Kenneth A. Ramser

KENNETH A. RAMSER
CLERK OF COUNCIL

/s/ Sean P. Brennan

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Meeting adjourned at 8:01 p.m.

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