

JUNE 4, 2018
REGULAR COUNCIL MEETING MINUTES
PARMA COUNCIL CHAMBERS
7:01 P.M.

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

COUNCIL MEMBERS PRESENT: JEFFREY CROSSMAN
VITO DIPIERRO
ALLAN DIVIS
DENNIS M. KISH
DEBORAH LIME
KRISTIN L. SABAN
BRIAN BROCHETTI
MARK CASSELBERRY

COUNCIL MEMBER EXCUSED: 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 Brian Day, Treasurer Tom Mastroianni, Public Works Director Jack Sparks, Safety Director Thomas Weinreich, Communications and Community Relations Director Jeannie Roberts, Director of Human Resources Renee Guy, Community Development Director Erik Tollerup and Clerk of Council Kenneth A. Ramser.

INVOCATION

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

PLEDGE OF ALLEGIANCE

REQUEST FOR EXECUTIVE SESSION

Subject : International Association of Fire Fighters, Local 639 AFL-CIO
Collective Bargaining Agreement

Recess for Executive Session: 7:03 p.m. **Reconvene** 7:26 p.m.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan - Stated you have before you the Minutes from the Regular Council Meeting of May 21, 2018. Asked if there were any additions or corrections to the Minutes? Stated hearing none, the Minutes will stand as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Mr. Ramser:

The Parma Board of Zoning Appeals met on Tuesday, May 8, 2018 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 Andriy Stodolskiy, 6801 Sandy Hook Dr. PPN 454-16-007.

After discussion Mr. Ziefle made the following recommendation:

"I make a motion to recommend to Parma City Council to DENY Andriy Stodolskiy, 6801 Sandy Hook Dr., 44134 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(c) (2) – SINGLE-FAMILY HOUSE DISTRICTS – ACCESSORY USES & BUILDINGS – REGULATIONS. Any owner of recreational equipment may park or store such equipment, not in excess of 24' in overall length on property owned by him. The proposal is to park approximately a 32' in length a boat and trailer on concrete drive at 6801 Sandy Hook Drive a residential property. This variance would result in allowing additional 8' for overall length of boat and trailer to be stored on property. The PPN is 454-16-007. By denying this variance the spirit and intent of the Zoning and Building requirements would be observed and by denying this variance the characteristics of the neighborhood would not be substantially altered."

Mrs. Kraft second the motion. Mr. Ziefle, Mrs. Kraft, Mr. Yurkiw, Mr. Mastrobuono and Mr. O'Connor voted to deny this variance.

Mr. Brennan - Said Variance will be referred to the Planning Committee.

Mr. Ramser:

The Parma Board of Zoning Appeals met on Tuesday, May 8, 2018 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 Scott LaPorta, 9717 W. Pleasant Valley Rd. PPN 456-18-013.

After discussion Mr. Ziefle made the following recommendation:

"I make a motion to recommend to Parma City Council to GRANT all 3 variances to Scott LaPorta, 9717 W. Pleasant Valley Rd., Parma, OH 44130 has requested a "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(a) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS. The proposal is to build new second garage with dimensions of 32' x 48' (1536 sq. ft.) in area on parcel of 60,548 sq. ft. on property located at 9717 W. Pleasant Valley Rd. Maximum size of garage permitted on lot size of 80' x 761.5' (60,548 sq. ft.) lot area is 800 sq. ft. with maximum height of 15'. This variance would result in allowing for second garage on one lot and 736 more sq. ft. in area than allowed by Code. The PPN is 456-18-013. There is a stipulation with these variances that he add the necessary concrete to park his commercial vehicle within 6 months and within the scope of the construction of the garage. By granting this variance the characteristic of the neighborhood would not be substantially altered and by granting this variance the Zoning and Building requirements would be observed."

"I make a motion to recommend to Parma City Council to GRANT all 3 variances to Scott LaPorta, 9717 W. Pleasant Valley Rd., Parma, OH 44130 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1185.05 – HEIGHT REGULATIONS – HEIGHT DISTRICT EXCEPTIONS. The proposal is to build new second garage with dimensions of 1536 sq. ft. and height of 15'7". In residence districts, an accessory building shall not exceed 15' in height at the highest point of the roof nor more than one story. This variance would result in allowing second garage to be 7" more in height than Code allows. The PPN is 456-18-013. There is a stipulation with these variances that he add the necessary concrete to park his commercial vehicle within 6 months and within the scope of the construction of the garage. By

granting this variance the characteristic of the neighborhood would not be substantially altered and by granting this variance the Zoning and Building requirements would be observed.”

“I make a motion to recommend to Parma City Council to GRANT all 3 variances to Scott LaPorta, 9717 W. Pleasant Valley Rd., Parma, OH 44130 has requested an “Area” variance of the City of Parma Codified Ordinances of Section 1153.03©(2) – SINGLE FAMILY HOUSE DISTRICTS ACCESSORY USES AND BUILDINGS-REGULATIONS. The proposal is to store boat and trailer approximately 41’ in length in proposed garage on residential property at 9717 Pleasant Valley. Any owner of recreational equipment may park or store such equipment, not in excess of 24’ in overall length on property owned by him. This variance would result in allowing to store boat and trailer in proposed garage on residential lot 17’ more in length than code allows. PPN is 456-18-013. There is a stipulation with these variances that he add the necessary concrete to park his commercial vehicle within 6 months and within the scope of the construction of the garage. By granting this variance the characteristic of the neighborhood would not be substantially altered and by granting this variance the Zoning and Building requirements would be observed.”

Mrs. Kraft second the motion. Mr. Yurkiw, Mr. Mastrobuono, Mr. Ziefle, Mrs. Kraft and Mr. O’Connor voted yes.

Mr. Brennan -Said Variance will be referred to the Planning Committee.

Mr. Ramser: We have received the Public Notice of Availability: Final Environmental Assessment which will be available in the Council Office.

Councilman Divis made the following motion seconded by Councilman Casselberry: The Boy Scouts of America provide a public service by properly disposing of old and worn Flags of the United States of America.

Burning the old and worn Flags completes this process. This year, the Boy Scouts of America will be performing the process at Stearns Farm on Saturday, June 9, 2018 at approximately 2:00 PM – 4:00 PM. Permitting of a bonfire requires the payment of a \$25.00 permit fee pursuant to PCO Section 185.03(c). Parma Fire Inspector Rich Ciarrone and Ruth Fay of the Parma Historical Society have requested that this fee be waived by City Council for this public service.

I move that the permit fee in the amount of \$25.00 required by PCO Section 185.03(c) be waived for the Boy Scouts of America for the Flag destruction ceremony to be held on Saturday, June 9, 2018 at approximately 2:00 PM – 4:00 PM at Stearns Farm. Motion carried.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS:

FIRST READING:

	ORDINANCE NO. 112-18	6/4/18	L-112-18
BY:	D. KISH, B. BROCHETTI (By Request - Safety Director)		

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION (a)(2)(C) OF SECTION 618.11 "HUNTING OR TRAPPING PROHIBITED" AND SUBSECTION (a)(3) OF SECTION 618.21 "HUNTING PROHIBITED" OF CHAPTER 618 "ANIMALS"; SUBSECTION (c)(1)(C) OF SECTION 961.02 "PARK PROPERTY"

OF CHAPTER 961 "PARKS AND RECREATION FACILITIES" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

	ORDINANCE NO. 115-18	6/4/18	L-115-18
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BY: M. CASSELBERRY
(By Request - Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF LAW TO ENTER INTO A CONTRACT WITH KATZ CONSULTING, LLC FOR THE PROVISION OF LANDLORD-TENANT SERVICES WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

	ORDINANCE NO. 116-18	6/4/18	L-116-18
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BY: B. BROCHETTI
(By Request - Auditor)

AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A CONTRACT WITH DELL, UNDER THE STATE OF OHIO PROCUREMENT PRICING PROGRAM FOR THE PURCHASE OF OFFICE 365 LICENSING, AND DECLARING AN EMERGENCY

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

SECOND READING:

	ORDINANCE NO. 100-18	5/21/18	L-100-18
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BY: K. SABAN
(By Request - City Engineer/Building Commissioner)

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF BROOKDALE AVENUE AND BROADVIEW ROAD IN THE CITY OF PARMA, BY PROVIDING THE INSTALLATION OF SANITARY SEWERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to refer Ordinance No. 100-18 back to the Finance Committee. Motion carried.

	ORDINANCE NO. 106-18	5/21/18	L-106-18
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BY: J. CROSSMAN
(By Request - City Engineer)

AN ORDINANCE TO ACCEPT A PERMANENT STORM DRAINAGE EASEMENT IN CERTAIN REAL PROPERTY KNOWN AS PERMANENT PARCEL NUMBER 450-09-021, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 106-18 back to the Environmental Standards Committee. Motion carried.

BY: J. CROSSMAN
(By Request - City Engineer)

AN ORDINANCE TO ACCEPT A PERMANENT STORM DRAINAGE EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT IN CERTAIN REAL PROPERTY KNOWN AS PERMANENT PARCEL NUMBER 450-09-020, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 107-18 back to the Environmental Standards Committee. Motion carried.

THIRD READING

BY: K. SABAN, J. CROSSMAN, B. BROCHETTI
(By Request - Service Director and Law Director)

A RESOLUTION TO ACCEPT AND ADOPT THE CLEAN WATER ACT INTEGRATED PLAN (PHASE I), OUTLINING THE CITY OF PARMA'S VISION TO ENHANCE ITS WET WEATHER RESILIENCY AND WATER QUALITY IMPROVEMENT, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Resolution No. 65-18 by accepting "Exhibit A". Further move to waive Rule 52 and place Resolution No. 65-18 on Third Reading as amended for passage. Motion carried.

Motion made by Councilwoman Saban seconded by Councilman Casselberry to adopt Resolution No. 65-18 as amended.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Resolution No. 65-18 is adopted as amended.

BY: D. LIME, M. CASSELBERRY, D. KISH, J. CROSSMAN
(By Request - City Engineer)

AN ORDINANCE AUTHORIZING THE CITY ENGINEER TO REQUEST REIMBURSEMENT FROM CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS MAINTENANCE PAVEMENT PROGRAM FOR ASPHALT USED IN THE 2017 RESURFACING OF WEST 54th STREET (FROM SNOW ROAD TO LOYA PARKWAY), AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to amend Ordinance No. 84-18 as follows: In Section 1 line 2 insert Fund No. 445-445 and 405-405, Account No. 48143-08418. Further move to waive Rule 52 and place Ordinance No. 84-18 on Third Reading as amended for passage. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 84-18 as amended.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Ordinance No. 84-18 is adopted as amended.

RESOLUTION NO. 86-18

5/7/18

L-86-18

BY: B. BROCHETTI
(By Request - Auditor)

A RESOLUTION PERMITTING THE CITY AUDITOR, OR THE BOARD OR OFFICER HAVING SUPERVISION OR MANAGEMENT OF THE PROPERTY, TO UTILIZE THE INTERNET AUCTION FOR SURPLUS ITEMS IN THE 2018 CALENDAR YEAR, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 86-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Resolution No. 86-18 is adopted.

ORDINANCE NO. 87-18

5/7/18

L-87-18

BY: M. CASSELBERRY
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ESTABLISH THE SOLID WASTE COLLECTION FEE FOR RESIDENTIAL ACCOUNTS FOR CALENDAR YEAR 2019 AND TO CERTIFY UNPAID FEES TO THE COUNTY FISCAL OFFICER FOR COLLECTION IN 2019, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 87-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Ordinance No. 87-18 is adopted.

ORDINANCE NO. 91-18

5/7/18

L-91-18

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

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN ADDENDUM WITH THE CITY OF PARMA HEIGHTS FOR THE CONSOLIDATED COMMUNICATIONS CENTER IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 91-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry

No: None; Ordinance No. 91-18 is adopted.

ORDINANCE NO. 92-18

5/7/18

L-92-18

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

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN ADDENDUM WITH THE CITY OF BROOKLYN FOR

ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING COSTS OF RECONSTRUCTING, IMPROVING AND PAVING A PORTION OF DAY DRIVE WITHIN THE CITY, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Mr. Ramser - FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF PARMA, OHIO:

As fiscal officer of the City of Parma, I certify in connection with the proposed issue of notes not to exceed \$1,143,000 (the "Notes") to be issued in anticipation of the issuance of bonds (the "Bonds") for the purpose of paying the costs of reconstructing, improving and paving a portion of Day Drive within the City and all necessary appurtenances thereto, that:

1. The estimated life or period of usefulness of the improvements from the proceeds of such issue is certified to be at least five (5) years.
2. The maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is twenty (20) years, provided that if notes in anticipation of those bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original notes, the period thereof in excess of five years must be deducted from the maximum maturity of those bonds.
3. The maximum maturity of the Notes issued in anticipation of bonds is twenty (20) years from the date the original notes are issued for such purpose.

Motion made by Councilman Brochetti seconded by Councilman Casselberry to accept the Fiscal Officer's Certificate as read, spread it upon the Minutes and attach copy of same to the red rule of Ordinance No. 95-18. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 95-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Ordinance No. 95-18 is adopted.

	ORDINANCE NO. 96-18	5/7/18	L-96-18
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BY: B. BROCHETTI
(By Request - Treasurer)

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF AN AMOUNT NOT TO EXCEED \$310,000 OF NOTES OF THE CITY OF PARMA IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING THE PROPERTY OWNERS' PORTION, IN ANTICIPATION OF THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS, OF THE COSTS OF CERTAIN SEWER IMPROVEMENTS TO PORTIONS OF BAGLEY ROAD, NORTH LINDEN LANE, PLEASANT VALLEY ROAD AND WEST 130th STREET IN THE CITY OF PARMA, CONSISTING OF THE CONSTRUCTION OF SANITARY SEWERS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Mr. Ramser - FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF PARMA, OHIO:

the year of issuance of the original notes, the period thereof in excess of five years must be deducted from the maximum maturity of those bonds.

3. The maximum maturity of the Notes issued in anticipation of bonds is twenty (20) years from the date the original notes are issued for such purpose.

Motion made by Councilman Brochetti seconded by Councilman Casselberry to accept the Fiscal Officer's Certificate as read, spread it upon the Minutes and attach copy of same to the red rule of Ordinance No. 97-18. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 97-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Ordinance No. 97-18 is adopted.

	RESOLUTION NO. 98-18	5/7/18	L-98-18
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BY: K. SABAN
(By Request - City Engineer)

A RESOLUTION TO APPROVE AND ADOPT THE EQUALIZATION BOARD REPORT FOR SANITARY SEWER IMPROVEMENTS FOR BROOKDALE AVENUE AND BROADVIEW ROAD, IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 98-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Resolution No. 98-18 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the Statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 113-18 and Ordinance No. 114-18 on three different days be dispensed with?

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 113-18 and Ordinance No. 114-18 be placed on final passage?

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; motion carried.

	RESOLUTION NO. 113-18	6/4/18	L-113-18
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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 Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 113-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Resolution No. 13-18 is adopted.

BY: **K. SABAN**, B. BROCHETTI, A. DIVIS, D. LIME, M. CASSELBERRY
(By Request - Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, RECEIVE, AND ADMINISTER FUNDS IN DEMOLITION ACTIVITIES VIA ROUND EIGHT (8) OF THE CUYAHOGA COUNTY DEMOLITION PROGRAM, AND ENTER INTO A DEMOLITION PROGRAM AGREEMENT WITH CUYAHOGA COUNTY, AND DECLARING AN EMERGENCY

Councilman Crossman - Asked if the places up for demolition have been decided on?
Community Services Director Tollerup - Stated that the only decision at this time is the 8 out buildings at the old Parmadale.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 114-18.

Yes: Crossman, Dipierro, Divis, Kish, Lime, Saban, Brochetti, Casselberry.

No: None; Ordinance No. 114-18 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS:

Mayor DeGeeter - Reminded everyone of the Rib n Rock and the St. Anthony's Carnival this coming weekend.

Safety Director Weinreich- No comment.

Public Works Commissioner Sparks - No comment.

Auditor Day - No comment.

Law Director Dobeck - No comment.

Treasurer Mastroianni - No comment.

Councilman Casselberry - Wished Jeannie Roberts luck on her new endeavors.

Motion made by Councilman Crossman seconded by Councilwoman Saban to suspend the Round Robin. Motion carried.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Crossman seconded by Councilman Brochetti to excuse Councilman Napoli from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Crossman seconded by Councilman Brochetti to adjourn said meeting at 8:01 P.M. 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 of Regular Council Meeting held on Monday, June 4, 2018.

KENNETH A. RAMSER
CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

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