

**MINUTES  
SEPTEMBER 20, 2021  
REGULAR COUNCIL MEETING  
PARMA COUNCIL CHAMBERS  
7:03 P.M.**

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

COUNCIL MEMBERS PRESENT:	KRISTIN L. SABAN KAMMY SHUMAN MARK CASSELBERRY VITO DIPIERRO ALLAN DIVIS ROY J. JECH LINDA A. KOHAR DEBORAH LIME LARRY NAPOLI
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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, Assistant Law Director Tim Miller, Auditor Brian Day, Service Director Brian Higgins, Safety Director Thomas Weinreich, Communications and Community Relations Director Carolyn Kovach, Recreation Commissioner Mickey Vittardi, Director of Human Resources Renee Guy, Chief of Staff Rich Summers and Clerk of Council Kenneth A. Ramser.

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**INVOCATION**

The Invocation was given by Reverend Noah Sutterisch from All Saints Episcopal Church

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**PLEDGE OF ALLEGIANCE**

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Mr. Brennan – Asked for a moment of silence for the passing of Janet Armbruster.

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**LEGISLATIVE COMMENT**

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No one wished to speak.

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**DISPOSAL OF JOURNAL**

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Mr. Brennan – Stated you have before you the Minutes from the Regular Council Meeting from September 7, 2021, and the Minutes from the Public Hearing held on September 7, 2021. Asked if there were any additions or corrections to the Minutes? Stated, hearing none, the Minutes will stand approved as printed.

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**COMMUNICATIONS, PETITIONS AND CLAIMS**

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Request from the Ohio Division of Liquor Control for a new D1, D2, and D6 Permit for Fred W. Albrecht Grocery Company DBA Acme Fresh Market 20, 1225 Pleasant Valley Rd, Parma, OH 44134. Mailed on September 2, 2021. Responses must be postmarked no later than October 4, 2021.

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

Mr. Ramser - The Parma Board of Zoning Appeals met on Tuesday, September 14, 2021 at 6:35 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 John Calvillo of JAC Construction, for property at 2423 Fortune Ave. PPN 444-12-031. After discussion Mr. Yurkiw made the following recommendations: "I make a motion to recommend to Council to grant to John Calvillo of JAC Construction, 1119 Parkleigh Drive, Parma, OH 44134 his request for an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(b)(2) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS-REGULATIONS-PARKING AREAS. The proposal is for additional 4 feet of concrete for overall driveway width of 16 feet for property at 2423 Fortune Avenue. The amount of hard surface area for driveway in residential front setback shall not exceed 32% of front setback area and width shall not exceed 12 feet wide on lot with 40' effective frontage. This variance would result in allowing for 4' more than code allows of driveway width. John Calvillo of JAC Construction, 1119 Parkleigh Drive, Parma, OH 44134 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(b)(6) – FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDINGS-REGULATIONS-PARKING AREAS. The proposal is to construct a parking pad to the interior of the lot for property at 2423 Fortune Avenue. For a residential lot with a front setback of 30' or more, a parking pad is not permitted to the interior of the lot. The PPN is 444-12-031. The essential character of the neighborhood would not be substantially altered, the adjoining properties would not suffer a substantial detriment as a result of granting this variance and the spirit and intent of the zoning and building requirements would be observed and substantial justice done by granting this variance." Mr. Ziefle second the motion. Mrs. Green, Mr. Yurkiw, Mr. Zeifle, Mr. Mastrobuono and Mr. O'Connor voted yes.

Also be it noted that a variance once granted, shall not be withdrawn or changed unless there is a change of circumstances or if after the expiration of six months no substantial construction is done in accordance with the terms and conditions for which such variance was granted. In which case the Building Commissioner shall give notice in writing, and thirty days thereafter the variances will be deemed null and void, and all regulations governing such premises in question shall revert back to those in effect before the variance was granted.

Motion made by Councilman Divis seconded by Councilman Casselberry to thereafter read the Variance application by title only. Further moved to refer the Variance application to the Planning Committee. Motion carried.

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Mr. Ramser - The Parma Board of Zoning Appeals met on Tuesday, September 14, 2021 at 6:35 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 Paul Ash, 7205 Greenleaf Ave, 44130, PPN 457-37-039. After discussion Mr. Mastrobuono made the following recommendation: "I make a motion to recommend to Council to grant to Paul Ash, 7205 Greenleaf Ave, 44130 who has requested an "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 a second garage 24' x 24', 576 sq. ft. on residential property at 7205 Greenleaf Ave. Not more than one garage, whether attached or detached, shall be permitted on any one lot. This variance would result in allowing for a second garage. The property owner's predicament cannot be feasibly obviated with any other method and the spirit and intent behind the zoning and building requirements would be observed and substantial justice done by granting the variances." George Ziefle second the motion. Mrs. Green, Mr. Yurkiw, Mr. Ziefle, Mr. Mastrobuono and Mr. O'Connor voted yes to grant the variance.

Also be it noted that a variance once granted, shall not be withdrawn or changed unless there is a change of circumstances or if after the expiration of six months no substantial construction is done in accordance with the terms and conditions for which such variance was granted. In which case the Building Commissioner shall give notice in writing, and thirty days thereafter the variances will be deemed null and void, and all regulations governing such premises in question shall revert back to those in effect before the variance was granted.

Motion made by Councilman Divis seconded by Councilman Casselberry to thereafter read the Variance application by title only. Further moved to refer the Variance application to the Planning Committee. Motion carried.

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Mr. Ramser - The Parma Board of Zoning Appeals met on Tuesday, September 14, 2021 at 6:35 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 Steven & Jennifer Hondroudakis property at 5972 Westminster Dr. PPN 449-02-008. After discussion Mr. Yurkiw made the following recommendation: "I make a motion to recommend to Council to grant this variance as read to Steven & Jennifer Hondroudakis, 5972 Westminster Dr, 44129 have requested a "Use" variance of the City of Parma Codified Ordinances of Section 1153.02 – SINGLE-FAMILY HOUSE DISTRICTS-PRINCIPAL USES AND BUILDINGS. The proposal is to construct an in-law suite addition to a single-family dwelling in a single-family district at 5972 Westminster Dr. Within any Single-Family House District, no building or premises shall be erected, used, arranged or designed to be used, in whole or in part, for other than single-family detached dwellings. This variance would result in allowing to use single-family dwelling as a two-family dwelling in a single-family house district. I will also add a stipulation that the opening in that part of the wall between the 2 living spaces shall never be eliminated and the occupant of the in-law suite will always be family related to the occupant of the original portion of the house. By granting this variance the essential character of the neighborhood would not be substantially altered. The adjoining properties would not suffer a substantial detriment as a result of this variance. The spirit and intent behind the zoning and building requirements would be observed and substantial justice be done by granting this variance." Mr. Ziefle second the motion. Mrs. Green, Mr. Yurkiw, Mr. Ziefle, Mr. Mastrobuono and Mr. O'Connor voted yes to grant the variance with the stipulation.

Also be it noted that a variance once granted, shall not be withdrawn or changed unless there is a change of circumstances or if after the expiration of six months no substantial construction is done in accordance with the terms and conditions for which such variance was granted. In which case the Building Commissioner shall give notice in writing, and thirty days thereafter the variances will be deemed null and void, and all regulations governing such premises in question shall revert back to those in effect before the variance was granted.

Motion made by Councilman Divis seconded by Councilman Casselberry to thereafter read the Variance application by title only. Further moved to refer the Variance application to the Planning Committee. Motion carried.

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Mr. Ramser - The Parma Board of Zoning Appeals met on Tuesday, September 14, 2021 at 6:35 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 Dvora Nelson, property at 5370 Pearl Rd. PPN 443-20-020, 443-20-071, and 443-20-072. After discussion Mr. Yurkiw made the following recommendation: "I make a motion to recommend to Council to grant to Dvora Nelson of Nelson Property Holdings, LLC, who has requested a "Use" variance of the City of Parma Codified Ordinances of Section 1170.03 – COMMERCIAL/OFFICE DISTRICTS-SCHEDULE OF PERMITTED BUILDINGS AND

USES. The proposal is to use existing building in Retail Business District for medical marijuana dispensary at 5370 Pearl Road. Medical marijuana dispensary not included in permitted buildings and uses in Commercial/Office Districts schedule. Permitted only in Industrial A and Industrial Park Districts. This variance would result in allowing to use building in Retail Business District for medical marijuana dispensary. By granting this variance the essential character of the neighborhood would not be substantially altered. The adjoining properties would not suffer a substantial detriment as a result of this variance. The spirit and intent behind the zoning and building requirements would be observed and substantial justice be done by granting this variance." Mrs. Green second the motion. Mr. Yurkiw, Mrs. Green, Mr. Ziefle, Mr. Mastrobuono and Mr. O'Connor voted yes to grant the variance.

Also be it noted that a variance once granted, shall not be withdrawn or changed unless there is a change of circumstances or if after the expiration of six months no substantial construction is done in accordance with the terms and conditions for which such variance was granted. In which case the Building Commissioner shall give notice in writing, and thirty days thereafter the variances will be deemed null and void, and all regulations governing such premises in question shall revert back to those in effect before the variance was granted.

Motion made by Councilman Divis seconded by Council Casselberry to thereafter read the Variance application by title only. Further moved to refer the Variance application to the Planning Committee. Motion carried.

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Mr. Ramser - The Parma Board of Zoning Appeals met on Tuesday, September 14, 2021 at 6:35 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 Dvora Nelson, Nelson Property Holdings, LLC., for property at 5817 Pearl Rd. PPN 449-01-006. After discussion Mr. Ziefle made the following recommendation: "I make a motion to recommend to Council to deny Dvora Nelson of Nelson Property Holdings, LLC, has requested a "Use" variance of the City of Parma Codified Ordinances of Section 1170.03 – COMMERCIAL/OFFICE DISTRICTS -- SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to use existing building in Retail Business District for medical marijuana dispensary at 5817 Pearl Road. Medical marijuana dispensary not included in permitted buildings and uses in Commercial/Office District schedule. Permitted only in Industrial A and Industrial Park Districts. This variance would result in allowing to use building in Retail Business District for medical marijuana dispensary." Mr. Yurkiw second the motion. Mrs. Green, Mr. Yurkiw, Mr. Ziefle, Mr. Mastobuono and Mr. O'Connor voted to deny this variance.

Motion made by Councilman Divis seconded by Council Casselberry to thereafter read the Variance application by title only. Further moved to refer the Variance application to the Planning Committee. Motion carried.

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Mr. Ramser read a thank you note from Joann Mason

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**FIRST READING:** None

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**SECOND READING:** None

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**THIRD READING:**

RESOLUTION NO. 138-21

8/2/21

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

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 138-21.

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

No: None; Resolution No. 138-21 is adopted.

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ORDINANCE NO. 141-21

8/2/21

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

AN ORDINANCE REQUESTING AND AUTHORIZING THE CUYAHOGA COUNTY FISCAL OFFICER TO MAKE TAX ADVANCES TO CERTAIN DESIGNATED OFFICERS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 141-21.

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

No: None; Ordinance No. 141-21 is adopted.

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RESOLUTION NO. 142-21

8/2/21

BY: K.L. SABAN  
(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 2022 CALENDAR YEAR, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 142-21.

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

No: None; Resolution No. 142-21 is adopted.

BY: V. DIPIERRO  
(By Request – Human Resources Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 348-04 TO AMEND THE SALARY RANGE OF "FSS ADMINISTRATOR" WITHIN THE PUBLIC HOUSING AGENCY, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 143-21.

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

No: None; Ordinance No. 143-21 is adopted.

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

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH GANLEY CHEVROLET, TO PURCHASE SIX (6) 2021 CHEVROLET TAHOE POLICE PURSUIT VEHICLES (PPV) FOR THE PARMA POLICE DEPARTMENT, UNDER THE STATE OF OHIO BID PRICING, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Ordinance No. 144-21 as follows: At the end of Section 1, add Contract No. RS#900321. This will be at a lease rate not to exceed three percent (3%). Further moved to waive Rule 52 and place Ordinance No. 144-21 on third reading for final passage as amended. Motion carried.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 144-21 as amended.

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

No: None; Ordinance No. 144-21 is adopted as amended.

**SUSPENSION OF THE RULES:**

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 156-21, Resolution No. 157-21, Resolution No. 160-21, Ordinance No. 161-21, Ordinance No. 162-21, and Ordinance No. 163-21 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 156-21, Resolution No. 157-21, Resolution No. 160-21, Ordinance No. 161-21, Ordinance No. 162-21, and Ordinance No. 163-21 be placed on final passage?

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

No: None; motion carried.

By: K. SHUMAN  
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) FOR A TEMPORARY EASEMENT AT STORMES DRIVE PERMANENT PARCEL NUMBER 457-24-017 FOR THE INSTALLATION OF THE BALDWIN CREEK RELIEF CULVERT IN PARMA PROJECT (1616) AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 156-21.

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

No: None; Ordinance No. 156-21 is adopted.

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RESOLUTION NO. 157-21

9/20/21

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

A RESOLUTION RECOGNIZING SEPTEMBER 2021 AS "NATIONAL CHILDHOOD CANCER AWARENESS MONTH" AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 157-21.

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

No: None; Resolution No. 157-21 is adopted.

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RESOLUTION NO. 160-21

9/20/21

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. 160-21.

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

No: None; Resolution No. 160-21 is adopted.

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ORDINANCE NO. 161-21

9/20/21

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

AN ORDINANCE TO AMEND SECTION 143.01 "PERSONNEL WITHIN RANKS" WITHIN CHAPTER 143 "DIVISION OF POLICE" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 161-21.

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

No: None; Ordinance No. 150-21 is adopted.

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ORDINANCE NO. 162-21

9/20/21

BY: **K.L. SABAN**, M. CASSELBERRY, A. DIVIS, R.J. JECH, D. LIME, L. NAPOLI  
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIVE (5) YEAR LEASE/PURCHASE AGREEMENT WITH VERMEER FOR A VERMEER-BC2100XL BRUSH CHIPPER, 21" CAPACITY DRUM STYLE BRUSH CHIPPER WHICH INCLUDES A 105HP CUMMINS QSB6.7 TIER 4 AT STATE PROCUREMENT BID PRICING OF \$171,100.00 AT A LEASE RATE NOT TO EXCEED 8%, STS PRICING SCHEDULE #800311, INDEX # STS515 FOR THE PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 162-21.

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

No: None; Ordinance No. 162-21 is adopted.

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ORDINANCE NO. 163-21

9/20/21

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT EXTENSION WITH AT&T TO PROVIDE TELEPHONE LINES FOR FACILITIES IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 163-21.

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

No: None; Ordinance No. 163-21 is adopted.

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### **PUBLIC SESSION**

Paul Kirner – Spoke about the Parma time capsule that was enclosed in the cornerstone of the Justice Center and was entombed on July 4, 1999. The time capsule is scheduled to be opened on July 4, 2049. Mr. Kirner has written a letter to the future mayor so that the time capsule is not forgotten.

Janet Benson – Stated that she would like the process for getting a permit for cement installation to follow the same guidelines as getting a permit for fencing, to include obtaining approval from neighboring property owners.

Mayor DeGeeter – stated that he will get Ms. Benson's contact information and will refer her suggestion to the maintenance work group to review changes.



**MISCELLANEOUS BUSINESS**

Mayor DeGeeter – No comment.  
Safety Director Weinreich – No comment.  
Auditor Day – No comment.  
Assistant Law Director Miller – No comment.  
Service Director Higgins – No comment.

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Councilwoman Saban – Stated there was a great turnout for the Quarry District picnic that she co-hosted with Councilman Jech and State Representative Jeff Crossman.

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Councilwoman Shuman – No comment.

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Councilman Casselberry – No comment.

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Councilman Dipierro – No comment.

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Councilman Divis – Thanked Council for support of the Parma Schools Foundation at their clambake fundraiser.

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Councilman Jech – Stated he was pleased with turnout for Quarry District picnic and thanked Council office staff for their help with event.

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Councilwoman Kohar – No comment.

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Councilwoman Lime – No comment.

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Councilman Napoli – Stated it was always nice to see Paul Kirner and thanked him for coming in to talk to Council about the time capsule.

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**ADJOURNMENT**

Motion made by Councilman Jech seconded by Councilman Casselberry to adjourn said meeting at 7:50 P.M. Motion carried.

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**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 Monday, September 20, 2021.

/s/Kenneth A. Ramser  
Kenneth A. Ramser  
Clerk of Council

/s/Sean P. Brennan  
Sean P. Brennan  
President of Council