

**SEPTEMBER 2, 2014**  
**REGULAR COUNCIL MEETING MINUTES**  
**PARMA CITY HALL COUNCIL CHAMBERS**  
**7:21 PM**

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

**COUNCIL MEMBERS PRESENT:**

SCOTT TUMA  
BRIAN BROCHETTI  
MARK CASSELBERRY  
JEFFREY CROSSMAN  
BRIAN DAY  
VITO DIPIERRO  
ALLAN DIVIS  
DEBORAH LIME  
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 Dobeck, Auditor Dennis Kish, Treasurer Tom Mastroianni, Safety Director Greg Baeppler, Service Director Brian Higgins, Building Commissioner Paul Deichmann, Communications & Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Senior Citizen Director Jo Ann Mason, Economic Development Officer/Grant Writer Shelley Cullins, Community Development Director Erik Tollérup, Public Housing Director Lev Kulchytsky and Clerk of Council Kenneth A. Ramser.

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**INVOCATION**

The Invocation was given by Rev. Jason Seltzyiah from St. Mary's Catholic Church.

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**PLEDGE OF ALLEGIANCE**

The Pledge was led by several young Girl Scouts.

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**VOICE VOTE:**

**RESOLUTION NO. 184-14**    9/2/15            L-184-14

BY: D. LIME and the rest of Council

A RESOLUTION HONORING ADRIENNE DJORDJEVIC - COACH OF THE  
YEAR - YOUTH BASEBALL/SOFTBALL

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 184-14. Motion carried.

Mrs. Djordjevic came forward to receive her Resolution and claim the Proclamation from the Mayor and the Certificates from the Treasurer and Law Director.

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**RESOLUTION NO. 187-14**    9/2/14            L-187-14

BY: B. BROCHETTI and the rest of Council

A RESOLUTION HONORING AUGUSTINE (GUS) ANGELONE - CITIZEN OF  
THE MONTH - SEPTEMBER, 2014

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 184-14. Motion carried.

**DISPOSAL OF THE JOURNAL**

Mr. Brennan - We have before us the Minutes of the Regular Council Meetings of August 4, 2014. Are there any corrections or additions? Hearing none; the Minutes will stand approved as printed.

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**LEGISLATIVE COMMENT**

Mr. Brennan - Is there anyone here who would like to make a comment regarding any legislation that is being acted upon today?

Resident from N. Linden - Spoke regarding Res. No. 164-14 and why they are being forced to have sewers.

Resident who was anonymous - Spoke regarding Ord. No. 176-14 to purchase an SUV for the police dogs. Stated that we are wasting money when we are over budget and wanted to know if it was really necessary.

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**COMMUNICATIONS, PETITIONS, AND CLAIMS**

Clerk of Council Ramser read:

The Proposal to Vary for Erik Tollerup for property at 5288 Pearl Road- PPN 443-22-026 & 027 - Use Variance to allow automobile repair in Retail Business Zoning District.

The Proposal to Vary for Erik Tollerup for property at 5288 Pearl Road- PPN 443-22-025-026 -Use Variance to Use Single Family House District for commercial parking lot.

The Proposals to Vary for Dan Neff for property at 7490 Broadview Road - PPN 452-34-006 for a new 3-tenant commercial building. Variances would permit larger lot coverage (31.5% vs. 25%) and less parking spaces (50 spaces less) with stipulation that they comply with the recommendations and requirements of the Building Department.

And informed Council that the Proposal to Vary for 5301 Hauserman was with drawn and the application is null and void.

Mr. Brennan stated that these variances will be referred to the Planning Committee.

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There was a request from the Department to have the members of Council approve by voice vote the legal representation of the following police officers and Fire Department personnel, who have been named as defendants in the case Richard Pettry v. Parma, et. al. U.S. District Court Case No. 1:14-DV-1667.

Motion made by Councilman Day, seconded by Councilman Tuma to approve the representation. Motion carried.

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Notice to Legislative Authority from the Ohio Division of Liquor Control for a transfer of a D1, D2, D3, D3A, and D6 license from TLN Enterprises, Inc. dba Zigs Pub and Grill to CJAW Sports 2 LLC 3415 Brookpark Road, Parma, Ohio, 44134

Mr. Brennan stated said Liquor application will be referred to the Safety Director and Ward Council.

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Notice to Legislative Authority from the Ohio Division of Liquor Control for a transfer of a D1, D2, D3, and D6 license from N and D Restaurants, Inc. dba Red Lobster 0116 to



**ORDINANCE NO. 173-14** 9/2/14 L-173-14

By: B. Day  
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE SITE AND FOUNDATION WORK FOR THE FIRE SAFETY HOUSE, AND DECLARING AN EMERGENCY

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

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**ORDINANCE NO. 175-14** 9/2/14 L-175-14

By: B. Day  
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR THE 911 CONSOLIDATION PROJECT, AND DECLARING AN EMERGENCY

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

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**ORDINANCE NO. 180-14** 9/2/14 L-180-14

By: S.M. Tuma  
(By Request - Human Resources Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SECTION 457 DEFERRED COMPENSATION PLAN ADOPTION AND SERVICE AGREEMENT WITH FTJ FUNDCHOICE, LLC, THROUGH ITS AGENT TO OFFER CITY EMPLOYEES ADDITIONAL DEFERRED COMPENSATION PLANS, AND DECLARING AN EMERGENCY

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

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**RESOLUTION NO. 183-14** 9/2/14 L-183-14

By: S.M. Tuma  
(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 AUDITOR, AND DECLARING AN EMERGENCY

Mr. Brennan - Said Resolution shall be referred to the Finance Committee.

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**ORDINANCE NO. 185-14** 9/2/14 L-185-14

By: S. Tuma  
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH STRATEGIC AGGREGATION CONSULTANTS FOR CONSULTING SERVICES FOR ELECTRIC AGGREGATION ISSUES

RELATED TO OUR ELECTRIC SUPPLY AGREEMENT WITH FIRST ENERGY SOLUTIONS (FES), AND DECLARING AN EMERGENCY

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

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**RESOLUTION NO. 186-14** 9/2/14

L-186-14

By: All Members of Council  
(By Request - Mayor)

A RESOLUTION TO APPROVE AND AUTHORIZE THE TRANSFER OF FUNDS FROM THE PARMA COMMUNITY IMPROVEMENT CORPORATION TO THE GENERAL FUND AND TO APPROVE AND AUTHORIZE THE LAW DIRECTOR TO FILE A PETITION IN THE COURT OF COMMON PLEAS, CUYAHOGA COUNTY, OHIO, SEEKING APPROVAL OF SAID TRANSFER OF FUNDS AND DECLARING AN EMERGENCY

Mr. Brennan - Said Resolution shall be referred to the Finance Committee.

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**SECOND READING:**

**ORDINANCE NO. 165-14** 8/4/14

L-165-14

By: S.M. Tuma  
(By Request - City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE RIDGE ROAD PHASE I SANITARY SEWER IMPROVEMENT PROJECT FROM DAY DRIVE TO 6905 RIDGE ROAD LOCATED WITHIN REAR YARD EASEMENTS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 165-14 back to the Finance Committee. Motion carried.

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**THIRD READING:**

**ORDINANCE NO. 123-14** 6/2/14

L-123-14

By: B. Day, S. Tuma, B. Brochetti, M. Casselberry, J. Crossman, V. Dipierro, A. Divis, D. Lime, L. Napoli  
(By Request - Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2014 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 CURB, PUBLIC SIDEWALK, CATCH BASIN AND TREE LAWN WITH NEW CURB, SIDEWALK, CATCH BASIN AND STAMPED/COLORED CONCRETE BRICK-SCAPE IN COMMERCIAL AREAS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to amend Ordinance No. 123-14 by filling in the blanks in Section 1 with "F.P. Allega" at the bid price not to exceed "\$100,861.77...". Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day to adopt amended Ordinance No. 123-14.

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

No: None; Amended Ordinance No. 123-14 is adopted.

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**ORDINANCE NO. 124-14** 6/2/14 L-124-14

By: B. Day, S. Tuma, B. Brochetti, M. Casselberry, J. Crossman, V. Dipierro, A. Divis, D. Lime, L. Napoli

(By Request - Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2014 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 Councilman Tuma, seconded by Councilman Day to amend Ordinance No. 124-14 by filling in the blanks in Section 1 with "Caver Platform LLC" at the bid price not to exceed "\$108,422.00...". Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day to adopt amended Ordinance No. 124-14.

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

No: None; Amended Ordinance No. 124-14 is adopted.

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**SUSPENSION OF THE RULES:**

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 164-14, Ordinance No. 172-14, Ordinance No. 174-14, Ordinance No. 176-14, Ordinance No. 177-14, Resolution No. 178-14, Resolution No. 179-14, and Ordinance No. 182-14 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 164-14, Ordinance No. 172-14, Ordinance No. 174-14, Ordinance No. 176-14, Ordinance No. 177-14, Resolution No. 178-14, Resolution No. 179-14, and Ordinance No. 182-14 be placed on final passage?

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

No: None; motion carried.

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**RESOLUTION NO. 164-14** 9/2/14 L-164-14

By: B. Brochetti  
(By Request - City Engineer)

A RESOLUTION TO APPROVE AND ADOPT THE EQUALIZATION BOARD REPORT FOR SANITARY SEWER IMPROVEMENTS FOR BAGLEY ROAD, PLEASANT VALLEY ROAD, A PORTION OF WEST 130TH STREET AND A PORTION OF NORTH LINDEN LANE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 164-14.

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

No. None; Resolution No. 164-14 is adopted. Councilwoman Lime and Councilman Napoli commented on this.

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**ORDINANCE NO. 172-14** 9/2/14

L-172-14

By: L. Napoli  
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH URS CORPORATION-OHIO TO ASSIST THE CITY IN REFERENCE TO THE NOTICE OF VIOLATIONS FROM THE OHIO EPA AND THE CUYAHOGA COUNTY BOARD OF HEALTH FOR THE LEACHATE AT THE FORMER PARMA LANDFILL, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 172-14.

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

No. None; Ordinance No. 172-14 is adopted.

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**ORDINANCE NO. 174-14** 9/2/14

L-174-14

By: B. Day, L. Napoli, S. Tuma, A. Divis  
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN ISDN PRI SERVICE WITH DS1 SERVICE AGREEMENT WITH AT&T FOR THE TELEPHONE SERVICE FOR THE PARMA POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 174-14.

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

No. None; Ordinance No. 174-14 is adopted.

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**ORDINANCE NO. 176-14** 9/2/14

L-176-14

By: B. Day, S. Tuma, B. Brochetti, M. Casselberry, A. Divis, D. Lime, L. Napoli  
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO PROCUREMENT PRICING FOR THE PURCHASE OF ONE (1) CHEVROLET TAHOE PPV FOR THE POLICE DEPARTMENT, K-9 PATROL, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 176-14.

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

No. None; Ordinance No. 176-14 is adopted.

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**ORDINANCE NO. 177-14** 9/2/14

L-177-14

By: S.M. Tuma  
(By Request - Auditor)

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

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 177-14.

Yes: Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime, Napoli.  
No. None; Ordinance No. 177-14 is adopted.

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**RESOLUTION NO. 178-14** 9/2/14

L-178-14

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**

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 178-14.

Yes: Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime, Napoli.  
No. None; Resolution No. 178-14 is adopted.

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**RESOLUTION NO. 179-14** 9/2/14

L-179-14

By: S.M. Tuma  
(By Request - Auditor)

**A RESOLUTION APPROVING THE CITY AUDITOR'S CASH TRANSFERS, AND DECLARING AN EMERGENCY**

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 179-14.

Yes: Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime, Napoli.  
No. None; Resolution No. 179-14 is adopted.

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**ORDINANCE NO. 182-14** 9/2/14

L-182-14

By: S.M. Tuma  
(By Request - Auditor)

**AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2014 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY**

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 182-14.

Yes: Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime, Napoli.  
No. None; Ordinance No. 182-14 is adopted.

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## APPOINTMENTS AND CONFIRMATIONS

Motion made by Councilman Casselberry, seconded by Councilman Day to re-appoint Michelle Ridella to the Building Board of Appeals for a five year term ending on September 7, 2019, and also to re-appoint John Yurkiw and George Mastrobuono, Jr. to the Board of Zoning Appeals for five year terms ending on September 21, 2019. Motion carried.

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## PUBLIC COMMENT

Ken Ehlert - Wanted to thank everyone for his honor.

Stormes Drive Resident - Was happy to see the progress in the detention basin.

Stormes Drive Resident - Curious about the state of the detention basin, didn't want to go past the barricades.

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## MISCELLANEOUS COMMENTS

Mayor DeGeeter - Thanked the resident for the "thank you".

Safety Director - No comment.

Service Director - Stated that they are cleaning the creek to the grate, cleaning the basin and testing the soil in the detention basin. (Stormes area)

Auditor - Stated that I just want to reach out to all the members of Council, if you have not taken a look at the exhibit I sent via e-mail today, please do. If any of you are interested or have any questions in the state of the cash balance of the General Fund, please give me a call or at least if you look at the August year to date, take a glance at the cash balances in the prior years and the carryover's for the ensuing years. You see a pattern. It is not a quirk. We are going to have less money to start 2015 than we did this year. I don't know what else to say.

Treasurer - No comment.

Law Director - No comment.

Councilman Tuma - Thanked CEI for the restoration of power on Sunday. Thanked the Auditor for the budget information.

Councilman Brochetti - Thanked Ward 7 residents for addressing the issues on the sewers.

Councilman Casselberry - Stated that he and his family thoroughly enjoyed all the Parma festivities this past summer.

Councilman Crossman - Condolences to the Zemek family.

Councilman Day - Stated that Parma was ranked high in the State of Ohio in Public Safety.

Councilman Depierro - No comment.

Councilman Divis - No comment.

Councilman Lime - Congratulated Councilman Day on becoming a grandpa of twins.

Councilman Napoli - Thanked the Administration for the Safety walk in Ward 6.

Council President Brennan - Stated he is meeting with Congressman Renacci to help Parma. Stated it is a pleasure to join in the Safety walks in the various wards. Stated that he is sending prayers to the Zemek and Mabin families on their loss.

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#### **ADJOURNMENT**

Motion made by Councilman Day, seconded by Councilman Casselberry to adjourn said Council meeting at 8:36 PM. 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 Tuesday, September 2, 2014.

***/s/ Kenneth A. Ramser***

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KENNETH A. RAMSER  
CLERK OF COUNCIL

***/s/ Sean P. Brennan***

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SEAN P. BRENNAN  
PRESIDENT OF COUNCIL

Minutes completed on September 9, 2014 llc