

JUNE 1, 2015
REGULAR COUNCIL MEETING MINUTES
PARMA COUNCIL CHAMBERS
7:00 P.M.

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

COUNCIL MEMBERS PRESENT: LARRY NAPOLI
 BRIAN BROCHETTI
 JEFFREY CROSSMAN
 BRIAN DAY
 VITO DIPIERRO
 ALLAN DIVIS
 DEBORAH LIME

COUNCIL MEMBERS EXCUSED: MARK CASSELBERRY
 SCOTT M. TUMA

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 Tom Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Resources Thomas Weinreich, Community Development Director Erik Tollerup, Economic Development Director/Grant Writer Shelley Cullins, Interim Director of Public Housing Priscilla Pointer-Hicks and Clerk of Council Kenneth A. Ramser.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Lead by Girl Scout Troop 70485.

VOICE VOTE:

RESOLUTION NO. 123-15 6/1/15 L-123-15
BY: **L. NAPOLI**, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN,
 B. DAY, V. DIPIERRO, A. DIVIS, D. LIME, S. TUMA

A RESOLUTION HONORING KYLE KAMINSKI PADUA
FRANCISCAN CHAMPION WRESTLER

Motion made by Councilman Day seconded by Councilman Brochetti to adopt Resolution No. 123-15. Motion carried.

Councilman Napoli – Presented the Resolution as well as certificates from the Law Director and Treasurer to Kyle and congratulated him.

Mayor Degeeter – Presented a Proclamation to Kyle and congratulated him.
Kyle Kaminski – Thanked everyone.

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

A RESOLUTION HONORING CARL JAKUBOWSKI ON
ATTAINING THE RANK OF EAGLE SCOUT

Motion made by Councilman Day seconded by Councilman Brochetti to adopt Resolution No. 124-15. Motion carried.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the Minutes from the Regular Council Meeting held on Monday, May 18, 2015, Asked if there were any additions or corrections to the Minutes. Stated, hearing none, the Minute will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Councilman Divis – Stated, Mr. Bruce G. Rinker, representing Sheetz located at 5795 West 130th Street on Permanent Parcel Number 441-20-001 has requested an extension to their Use and Area Variances granted by Council on December 15, 2014, due to quality control issues and Sheetz' timetable for this and other pending projects elsewhere. The Use Variance allows for retail sales use in Industrial Park District. The Area Variance allows for 11' more for width of drive aprons. This will be the first request for an extension of the variance on this project.

Motion made by Councilman Divis seconded by Councilman Day to grant the Variance extension to Mr. Rinker. Motion carried.

Councilman Divis – Stated, Mr. David Buccieri, for property at 7510 Snow Road, has requested a six-month extension to their Variance previously granted by Council due to weather issues and delay in approval of plans. The request is for parking for new club. This will be the first request for an extension of the Variance on this project.

Motion made by Councilman Divis seconded by Councilman Day to grant the Variance extension to Mr. Buccieri. Motion carried.

The Parma Board of Zoning Appeals met on Tuesday, May 12, 2015 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 Brett Iafigliola, P. E., Parma Lutheran Church, 5280 Broadview Rd. 44134. PPN 445-03-033. After discussion Mr. Ziefle made the following recommendation:

"I make a motion to recommend to Council to GRANT Brett J. Iafigliola, P. E., Parma Lutheran Church, 5280 Broadview Rd 44134 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1197.11 (a) – OFF STREET PARKING AND LOADING FACILITIES – LOADING AND UNLOADING FACILITIES – LOCATION OF LOADING SPACES. The proposal is to construct a hunger center addition at 5280 Broadview Road. All required loading spaces shall be located on same lot as the use served and arranged so public street or sidewalk will not be occupied during loading or unloading. Spaces shall not be located in any required yard or less than 50' from

residential district. The request is for loading area in a required yard. This variance will result in allow for loading area in required yard.

Brett J. Iafigliola, P. E., Parma Lutheran Church, 5280 Broadview Rd. 44134 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.05 © (1)-SINGLE FAMILY HOUSE DISTRICTS – PUBLIC FACILITIES. The proposal is to construct a hunger center addition at 5280 Broadview Road. The maximum lot coverage by all main and accessory building shall not exceed 25% of the lot. The proposed lot coverage is 29.4%. This variance would result in 4.4% additional lot coverage. By approving these variances the owner's property will not suffer substantial detriment and by approving these variances the characteristics of the neighborhood would not be substantially altered, by granting these variances the spirit and intent of the Zoning and Building requirements would be observed."

Mr. Yurkiw seconded the motion. Mr. Ziefle, Mrs. Kraft, Mr. Mastrobuono and Mr. Yurkiw and Mr. O'Connor voted to grant this variance. Also be it noted that variances 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 condition for which such variances were granted. In which case the Building Commissioner shall give notice in writing, and thirty days thereafter the variance 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.

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

The Parma Board of Zoning Appeals met on Tuesday, May 12, 2015 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 Thomas & Tina Garcia, 7797 York Rd., 44130. PPN 456-26-002.

After discussion Mr. Yurkiw made the following recommendation:

"I make a motion to table this variance until we have a ruling from the Board of Building Appeals for Thomas & Tina Garcia, 7797 York Road, 44130 have requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03 (a) – SINGLE FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDINGS. Maximum size garage allowed on 54,144 sq. ft. lot shall not exceed a total floor area of 800 sq. ft. and only one garage is permitted per lot. The proposal is to erect second garage of 960 sq. ft. with a total area of both garages being 1,488 sq. ft. for property located at 7797 York Road. This variance would result in allowing for a second garage on parcel with 688 sq. ft. more than code allows."

Mr. Mastrobuono seconded the motion to table the variance. All Board members present voted to table the variance.

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

The Parma Board of Zoning Appeals met on Tuesday, May 12, 2015 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 David Nawrocki, 9720 Tracy Trail, 44130. PPN 456-13-003

After discussion Mr. Yurkiw made the following recommendation:

"I make a motion to recommend to Council to GRANT to David Nawrocki, 9720 Tracy Trail, 44130 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. Maximum size of garage permitted on lot size of 60' x 150' (9,000 sq. ft.) lot area is 800 sq. ft. with maximum height of 15 feet. The proposed new detached garage to be built at 9720 Tracy Trail is 24' x 40' (960 sq. ft.) area with a height of 15'6" on parcel of 9,000 sq. ft. This variance would result in allowing 160 more sq. ft. in area

and 6" more in height than Code allows for detached garage on lot size of 9,000 sq. ft. in area. There are stipulations: the current garage will be demolished and no other outbuildings will ever be constructed on this property."

Mr. Ziefle seconded the motion. Mr. Mastrobuono, Mr. Yurkiw, Mrs. Kraft, Mr. Ziefle and Mr. O'Connor voted yes.

Also be it noted that variances 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 condition for which such variances were granted. In which case the Building Commissioner shall give notice in writing, and thirty days thereafter the variance 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.

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

Motion made by Councilman Brochetti seconded by Councilman Day to amend the Rules of Council as follows:

On Page 6, under STANDING COMMITTEES, add: "G. COMMITTEE ON PUBLIC HOUSING, to which shall be referred all Ordinances and Resolutions and other matters relating to Public Housing." Motion carried. Also, change "G. SUBCOMMITTEES" to read "H. SUBCOMMITTEES". Motion carried.

FIRST READING:

ORDINANCE NO. 125-15 6/1/15 L-125-15
BY: B. DAY
 (By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR THE PURCHASE OF WORKSTATION FURNITURE AT THE NEW COMMUNICATIONS CENTER IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 126-15 6/1/15 L-126-15
BY: B. DAY
 (By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT OF EASEMENT AGREEMENT WHICH WILL GRANT AN EASEMENT TO CLEVELAND ELECTRIC ILLUMINATING COMPANY FOR THE INSTALLATION AND MAINTENANCE OF ELECTRIC CONDUIT LOCATED ON CITY PROPERTY AT 7335 RIDGE ROAD, SUITE A, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 129-15 6/1/15 L-129-15

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

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PUBLIC STREETS, ROADS, BOULEVARDS AND PLACES IN THE CITY OF PARMA, OHIO, BY PROVIDING STREET LIGHTING, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 130-15 6/1/15 L-130-15

BY: B. DAY
(By Request – Safety Director)

AN ORDINANCE APPROVING THE EXTENSION AND AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA AND THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION (POLICE SERGEANTS AND LIEUTENANTS), AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 131-15 6/1/15 L-131-15

BY: B. DAY
(By Request – Safety Director)

AN ORDINANCE APPROVING THE EXTENSION AND AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA AND THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION (POLICE CAPTAINS), AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 132-15 6/1/15 L-132-15

BY: S. TUMA
(By Request – Treasurer)

AN ORDINANCE TO REPEAL CHAPTER 183 “MUNICIPAL INCOME TAX” AND TO ENACT A NEW CHAPTER 183 “MUNICIPAL INCOME TAX” OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

BY: B. DAY
 (By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH CODY COMPUTER SERVICES, INC., SOLE SOURCE PROVIDER, FOR THE PURCHASE, TRAINING, AND MAINTENANCE OF THE REQUISITE SOFTWARE UPGRADES TO FORM A CONSOLIDATED PUBLIC SAFETY DISPATCH CENTER, AND DECLARING AN EMERGENCY

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

SECOND READING:

BY: S. M. TUMA
 (By Request – Auditor)

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF PARMA, OHIO, FOR THE YEAR 2016, AND DECLARING AN EMERGENCY

Motion made by Councilman Day seconded by Councilman Brochetti to refer Resolution No. 117-15 back to the Finance Committee. Motion carried.

BY: B. DAY
 (By Request – Safety Director)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS WITH THE CITIES OF BROOKLYN AND PARMA HEIGHTS TO ESTABLISH A CONSOLIDATED COMMUNICATION CENTER IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Day seconded by Councilman Brochetti to refer Resolution No. 121-15 back to the Public Safety Committee. Motion carried.

THIRD READING:

BY: B. DAY, L. NAPOLI, B. BROCHETTI, J. CROSSMAN, V. DIPIERRO,
 A. DIVIS, D. LIME
 (By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE PURCHASE OF TWENTY-FIVE (25) SETS OF TURNOUT GEAR FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Day seconded by Councilman Brochetti to adopt Ordinance No. 108-15.

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

No: None; Ordinance No. 108-15 is adopted.

ORDINANCE NO. 109-15 5/4/15 L-109-15

BY: D. LIME, L. NAPOLI, B. BROCHETTI, J. CROSSMAN, B. DAY, V. DIPIERRO
A. DIVIS

(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2015 SIDEWALK , CURB AND CATCH BASIN PROJECT AND OR 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

Mr. Tollerup – Stated that F.P. Allega has won 8 out of the last 11 contracts. This year they were the sole bidder. Sixty catch basins along with the sidewalks will be repaired.

Motion made by Councilman Day seconded by Councilman Brochetti to amend Ordinance No. 109-15 as follows: In Section 1, line 2, insert "F.P. Allega", and on line 4, insert "\$189,000.00". Further moved to waive Rule 52 and place Ordinance No. 109-15 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Day seconded by Councilman Brochetti to adopt Ordinance No. 109-15 as amended.

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

No: None; Ordinance No. 109-15 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. 133-15 and Resolution No. 134-15 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 133-15 and Resolution No. 134-15 be place on final passage?

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

No: None; motion carried.

ORDINANCE NO. 133-15 6/1/15 L-133-15

BY: B. DAY

(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2015 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Day seconded by Councilman Brochetti to adopt Ordinance No. 133-15.

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

No: None; Ordinance No. 133-15 is adopted.

BY: B. DAY
(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION
OF REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING
AN EMERGENCY

Councilman Crossman – Questioned the line item for Thomson Reuters-West for \$300.50.

Mayor DeGeeter – Stated that book is a Ohio Civil Service Law Book.

Councilwoman Lime – Questioned the line item for Continental Fire & Security for \$642.45.

Service Director Higgins – Stated the work was being done at the current 911 Center not the new Center.

Motion made by Councilman Day seconded by Councilman Brochetti to adopt Resolution No. 134-15.

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

No: None; Resolution No. 134-15 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Commented on the rain over the weekend. Thanked the Service Department.

Reminded everyone about the Rib N Rock this weekend.

Service Director Higgins – Commented on the number of calls received regarding the storm. Stated there were approximately 19 calls spread over 17 different streets.

Safety Director Baeppler – No comment.

Law Director Dobeck – No comment.

Auditor Kish – No comment.

Treasurer Mastroianni – No comment.

Councilman Napoli – Thanked the Service Department for their communication with Council.

Councilman Brochetti – No comment.

Councilman Crossman – No comment.

Councilman Day – Commented on the Pierogie Palooza held over the weekend. Broadview Multi Care are great community partners. Nice turn out for such poor weather.

Councilman Dipierro – No comment.

Councilman Divis – No comment.

Councilwoman Lime – Commented on an Eagle Scout Project that will take place in the Polish Village pocket park.

Commented on Polish Village Garage Sale to take place June 18, 19 and 20.

Mr. Brennan – Commented on graduation.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Day seconded by Councilman Napoli to excuse Council Casselberry and Councilman Tuma from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Day seconded by Councilman Napoli to adjourn said meeting at 7:42 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 Monday, June 1, 2015.

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

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

(MINUTES COMPLETED ON JUNE 2, 2015)JK