

APRIL 4, 2016
REGULAR COUNCIL MEETING MINUTES
PARMA CITY HALL COUNCIL CHAMBERS
7:11 PM

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

COUNCIL MEMBERS PRESENT:

SCOTT M. TUMA
BRIAN BROCHETTI
MARK CASSELBERRY
JEFFREY CROSSMAN
VITO DIPIERRO
ALLAN DIVIS
DEBORAH LIME
KRISTIN SABAN

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 Thomas Mastroianni, Service Director Brian Higgins, Safety Director Michael O'Malley, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Services Tom Weinreich, Chief of Staff Michael Culp, and Clerk of Council Kenneth A. Ramser.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Girl Scout Troop 70323 led everyone in the Pledge.

VOICE VOTE:

RESOLUTION NO. 54-16

4/4/16

L-54-16

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

A RESOLUTION HONORING PAUL DEMPSEY 2015-2016
COACH OF THE YEAR - YOUTH BASKETBALL

Motion made by Councilman Tuma, seconded by Councilman Casselberry, to adopt Resolution No. 54-16. Motion carried. Coach Dempsey and his team accepted the Resolution from Council, Certificates from Law Director, Auditor, and Treasurer. The Mayor gave him his Proclamation. Photos were taken.

LEGISLATION COMMENT

Mr. Brennan - Is there anyone who would like speak regarding legislation that we will be taking final action tonight? No one wished to speak.

DISPOSAL OF THE JOURNAL

Mr. Brennan - We have the Minutes of the Regular Council Meeting of March 21, 2016 and the Special Council Meeting of March 28, 2016. Are there any changes or additions? Hearing none, these Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Mr. Ramser - We have a request for representation for Mayor Timothy DeGeeter and Lou Galizio for the case, *State ex rel. Douglas E. Odolecki v. Frank Celebrezze, Jr., et al.* Motion made by Councilman Tuma, seconded by Councilman Casselberry to approve.. Motion carried.

Mr. Ramser - We have received a letter from Mr. Boyko thanking us for his appointment to the UH Parma Medical Center Board.

Councilman Divis: The Planning Committee of Council met on April 4, 2016, to discuss the variance FOR THE APPLICANT Brendan Schmolz or Marie Stakes for property at 11536 Sprague Rd. PPN is 457-24-016.

They have requested a "Use" variance of the City of Parma Codified Ordinances of Section 1153.02 - SINGLE FAMILY HOUSE DISTRICTS - PRINCIPAL USES AND BUILDINGS. 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. The proposal is to use dwelling as two-family residence at 11536 Sprague Road. This variance would result in allowing use of dwelling as two-family residence in a Single-Family House District.

Motion made by Councilman Divis, seconded by Councilman Casselberry to GRANT the Use Variance. Motion carried.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

FIRST READING:

ORDINANCE NO. 52-16 4/4/16 L-52-16

By: **V. Dipierro**
(By Request - Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH PRINCE & IZANT COMPANIES, AND DECLARING AN EMERGENCY

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

RESOLUTION NO. 53-16 4/4/16 L-53-16

By: **B. Brochetti**

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SAFETY TO ISSUE A PERMIT TO TRANSPORT INTO THE TERRITORIAL LIMITS OF THE CITY OF PARMA, FIREWORKS AND FIREWORK SUNDRIES FOR A PYROTECHNIC DISPLAY IN CONJUNCTION WITH THE HOLY FAMILY PARISH FESTIVAL, AND DECLARING EMERGENCY

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

ORDINANCE NO. 57-16 4/4/16 L-57-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF TACK COAT AND PRIME COAT, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 58-16 4/4/16 L-58-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE 2016 PAVEMENT MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 59-16 4/4/16 L-59-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF CONCRETE, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 60-16 4/4/16 L-60-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE 2016 CWD BACKFILL PAVEMENT REPAIR PROGRAM, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 61-16 4/4/16 L-61-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR ASPHALT PLANING, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 62-16 4/4/16 L-62-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE CITY OF PARMA HEIGHTS AND THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF ASPHALT CONCRETE, AND DECLARING AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 44-16 3/21/16 L-44-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE LEASE/ PURCHASE OF SIX (6) 2016 AWD SPORT UTILITY VEHICLES FOR THE PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to refer Ordinance No. 44-16 back to the Finance Committee. Motion carried.

ORDINANCE NO. 46-16 3/21/16 L-46-16

By: **S. Tuma**
(By Request - Clerk of Court)

AN ORDINANCE AUTHORIZING THE CLERK OF COURT TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE PURCHASE OF AN X-RAY INSPECTION SYSTEM FOR THE PARMA JUSTICE CENTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to refer Ordinance No. 46-16 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

ORDINANCE NO. 45-16 3/21/16 L-45-16

By: D. Lime, S. M. Tuma, B. Brochetti, M. Casselberry, J. Crossman, V. Dipierro, A. Divis, K. L. Sabin
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH STRYKER, SOLE SOURCE PROVIDER, FOR THE PURCHASE OF FOUR (4) POWER-LOAD COTS FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 45-16 on three different days be dispensed with?

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

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt Ordinance No. 45-16.

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

No: None; Ordinance No. 45-16 is adopted.

THIRD READING:

ORDINANCE NO. 27-16 2/16/16 L-27-16

By: **D. Lime**
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH TAC COMPUTER, INC. FOR A TWO (2) YEAR PERIOD FOR ANNUAL MAINTENANCE SUPPORT FOR RECORDS MANAGEMENT SYSTEM COMPUTER AIDED DISPATCH AND MOBILE REPORTING FOR THE COMMUNICATIONS CENTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to hold Ordinance No. 27-16 on Third Reading. Motion carried.

ORDINANCE NO. 28-16 3/7/16 L-28-16

By: **S. M. Tuma, B. Brochetti, D. Lime, M. Casselberry, V. Dipierro**
(By Request - Recreation Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PARMA HEIGHTS FOR A PARTNERSHIP OF HOSTING SUMMER BAND CONCERTS AT ANTHONY ZIELINSKI PARK IN THE CITY OF PARMA AND GREENBRIAR COMMONS IN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt Ordinance No. 28-16.

Yes: Tuma, Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Saban.
No: None; Ordinance No. 28-16 is adopted.

ORDINANCE NO. 29-16 3/7/16 L-29-16

By: **D. Lime, M. Casselberry, J. Crossman, A. Divis, K. Saban**
(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 THREE (3) OF THE CUYAHOGA COUNTY DEMOLITION PROGRAM, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to amend Ordinance No. 29-16 by deleting "5510 Ridgewood Avenue" in the body of the legislation. Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt amended Ordinance No. 29-16.

Yes: Tuma, Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Saban.
No: None; Ordinance No. 29-16 is adopted as amended.

ORDINANCE NO. 33-16 3/7/16 L-33-16

By: **S. Tuma**
(By Request - Building Commissioner)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR THE CUTTING OF HIGH GRASS/WEEDS AND YARD CLEAN-UP IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt Ordinance No. 33-16.

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

No: None; Ordinance No. 33-16 is adopted.

ORDINANCE NO. 35-16 3/7/16 L-35-16

By: **S. Tuma, B. Brochetti, M. Casselberry, D. Lime, K. L. Saban, A. Divis**
(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) THROUGH THE COMMUNITY COST SHARE PROGRAM FOR THE COVENTRY DRIVE-WEST CREEK IMPERVIOUS SURFACE REMOVAL PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt Ordinance No. 35-16.

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

No: None; Ordinance No. 35-16 is adopted.

ORDINANCE NO. 39-16 3/7/16 L-39-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR THE LEASE/PURCHASE OF FOUR (4) 2016 CHEVROLET IMPALAS AT THE STATE PROCUREMENT PRICE FOR THE PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt Ordinance No. 39-16.

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

No: None; Ordinance No. 39-16 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 51-16, Resolution No. 55-16, Resolution No. 56-16, and Ordinance No. 63-15 on three different days be dispensed with?

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

No: None; Motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 51-16, Resolution No. 55-16, Resolution No. 56-16, and Ordinance No. 63-15 be placed on final passage?

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

No: None; Motion carried.

RESOLUTION NO. 51-16 4/4/16 L-51-16

By: **V. Dipierro, B. Brochetti, M. Casselberry, J. Crossman, A. Divis, D. Lime, K.L. Saban, S. Tuma**

A RESOLUTION SUPPORTING "FAIR HOUSING MONTH" FOR THE MONTH OF APRIL, 2016, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt Resolution No. 51-16.
Yes: Tuma, Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Saban.
No: None; Resolution No. 51-16 is adopted.

RESOLUTION NO. 55-16 4/4/16 L-55-16

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 Casselberry to adopt Resolution No. 55-16.
Yes: Tuma, Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Saban.
No: None; Resolution No. 55-16 is adopted.

RESOLUTION NO. 56-16 4/4/16 L-56-16

By: **M. Casselberry, J. Crossman, V. Dipierro, A. Divis, D. Lime, K.L. Saban, S.M. Tuma, B. Brochetti**
(By Request - Mayor)

A RESOLUTION APPROVING THE LAND AND WATER CONSERVATION FUND (LWCF) OUTDOOR RECREATION LEGACY PARTNERSHIP PROGRAM GRANT APPLICATION, AND NAMING WEST CREEK CONSERVANCY AS THE DESIGNATED AGENT/ COORDINATOR FOR THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt Resolution No. 56-16.
Yes: Tuma, Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Saban.
No: None; Resolution No. 56-16 is adopted.

ORDINANCE NO. 63-16 4/4/16 L-63-16

By: **A. Divis, D. Lime**
(By Request - City Engineer)

AN ORDINANCE TO EXTEND THE MORATORIUM FOR AN ADDITIONAL ONE HUNDRED EIGHTY (180) DAYS ON THE GRANTING OF ANY PERMITS FOR THE ACTIVATION OR INSTALLATION OF ANY SYSTEM, STRUCTURES, EQUIPMENT, OR DEVICES FOR THE OPERATION OF SMALL CELLS OR NODES FOR COMMUNICATION PURPOSES WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

**Mayor indicated that 180 days is not necessary and wished Council to amend it to reflect 90 days.

Motion made by Councilman Tuma, seconded by Councilman Casselberry to amend Ordinance No. 63-16 by changing the length of the moratorium to be "ninety (90) days" and have that reflected throughout the legislation. Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Casselberry to adopt amended Ordinance No. 63-16.
Yes: Tuma, Brochetti, Casselberry, Crossman, Dipierro, Divis, Lime, Saban.
No: None; Amended Ordinance No. 63-16 is adopted.

TABLED & RECONSIDERED LEGISLATION:

RESOLUTION NO. 258-08 9/8/08

L-258-08

By:

A RESOLUTION REQUESTING THE CITY ADMINISTRATION TO CREATE A CITY OF PARMA CITIZENS HALL OF FAME

Motion made by Councilman Tuma, seconded by Councilman Casselberry to Table Resolution No. 258-08. Motion carried.

Motion made by Councilman Casselberry, seconded by Councilman Tuma to Reconsider Resolution No. 258-08. Motion denied.

Resolution No. 258-08 is Tabled.

RESOLUTION NO. 60-14 4/7/14

L-60-14

By: **B. Brochetti**

(By Request - Clerk of Council)

A RESOLUTION TO RATIFY THE iPad POLICY FOR THE COUNCIL OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Casselberry to Table Resolution No. 60-14. Motion carried.

Motion made by Councilman Casselberry, seconded by Councilman Tuma to Reconsider Resolution No. 60-14. Motion denied.

Resolution No. 60-14 is Tabled.

Appointments and Confirmations - None

PUBLIC SESSION

Mr. Brennan asked if there was anyone who wished to speak on any topic concerning the City of Parma. The speaker would contain their comments to three minutes.

Mr. Ehlert - Stated this is the best Council Meeting and wants Council to do the right thing for the poor and disabled along the RTA Bus Route 97A.

Mr. Mesker - Discussed the rock-n-roll and music industry's influence and power. Noted that Carl Palmer from Emerson, Lake, and Palmer will be at Valley Forge in the near future.

Gentleman from Southington - Stated this is his first meeting and he just might come up here more often.

Daughter (of Gentleman from Southington) who lives in Regency Apts. - Also stated that this is her first meeting and hopes that Council will help keep the 97A bus running for the disabled and poor who do not have any other mode of transportation.

MISCELLANEOUS BUSINESS

Mayor - No comment.

Safety Director - No comment.

Service Director - No comment.

Law Director - No comment.

Auditor - Liked the residents participation and input on several items tonight. Hopes that we can help them.

Treasurer - No comment.

Motion made by Councilman Casselberry, seconded by Councilman Divis to forego the rest of the Miscellaneous Business. Motion carried.

REPORT ON ABSENT MEMBERS

Motion made by Councilman Divis, seconded by Councilman Casselberry to excuse Councilman Napoli from this meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Crossman, seconded by Councilman Brochetti to adjourn meeting at 9:13 PM. 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, April 4, 2016.

/s/ Kenneth A. Ramser

/s/ Sean P. Brennan

KENNETH A. RAMSER
...CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL