

**OCTOBER 7, 2013  
PARMA CITY HALL COUNCIL CHAMBER  
REGULAR COUNCIL MEETING  
7:07 P.M.**

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

**COUNCIL MEMBERS PRESENT:**

BRIAN BROCHETTI  
MARK CASSELBERRY  
BRIAN DAY  
ALLAN DIVIS  
MARY GALINAS  
DEBORAH LIME  
LARRY NAPOLI  
ANDY SCHOFIELD  
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 Dobeck, Auditor Dennis 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, Senior Citizen Director Jo Ann Mason, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky and Clerk of Council Kenneth A. Ramser.

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**INVOCATION**

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

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**PLEDGE OF ALLEGIANCE**

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**DISPOSAL OF JOURNAL**

Mr. Brennan – Stated, you have before you the Minutes from the Regular Council Meetings of September 3, 2013 and September 16, 2013. Are there are additions or corrections? Hearing none, the Minutes will stand approved as printed.

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**VOICE VOTE**

RESOLUTION NO. 220-13    10/7/13    L-320-13

BY: M. GALINAS, D. LIME, B. BROCHETTI, M. CASSELBERRY, B. DAY,  
A. DIVIS, A. SCHOFIELD, L. NAPOLI, S. TUMA

A RESOLUTION HONORING AND RECOGNIZING SPECIALIST  
FOUR FRANK A. HERDA MEDIAL OF HONOR RECIPIENT – U.S. ARMY

Motion made by Councilman Day seconded by Councilman Tuma to adopt Resolution No. 220-13. Motion carried.

RESOLUTION NO. 229-13 10/7/13 L-229-13  
BY: B. DAY, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, M. GALINAS,  
D. LIME, L. NAPOLI, A. SCHOFIELD, S. TUMA

A RESOLUTION HONORING HOLY NAME HIGH SCHOOL  
100<sup>TH</sup> ANNIVERSARY 1914-2014

Motion made by Councilman Day seconded by Councilman Tuma to adopt  
Resolution No. 229-13. Motion carried.

RESOLUTION NO. 232-13 10/7/13 L-232-13  
BY: A. DIVIS, B. BROCHETTI, M. CASSELBERRY, B. DAY, M. GALINAS,  
A. SCHOFIELD, D. LIME, L. NAPOLI, S. TUMA

A RESOLUTION HONORING SEAN KING ON ATTAINING  
THE RANK OF EAGLE SCOUT

Motion made by Councilman Day seconded by Councilman Tuma to adopt  
Resolution No. 232-13. Motion carried.

**COMMUNICATIONS, PETITIONS AND CLAIMS**

Request from the Ohio Division of Liquor Control for a Liquor Agency Contract to  
Riser Foods Co., dba Giant Eagle #6388, 7400 Broadview Road, Parma, Ohio 44134.

Mailed on September 23, 2013. Responses must be postmarked no later than  
October 24, 2013.

Mr. Brennan – Copy of said Liquor Permit was sent to the Safety Director and  
Ward Council.

**LEGISLATIVE COMMENT**

No one wished to speak.

**FIRST READING:**

ORDINANCE NO. 224-13 10/7/13 L-224-13  
BY: S. M. TUMA, A. SCHOFIELD  
(By Request – City Engineer/Building Commissioner)

AN ORDINANCE DETERMINING TO PROCEED WITH THE  
IMPROVEMENT OF WEST RIDGEWOOD DRIVE (BETWEEN  
STATE ROAD AND RIDGE ROAD) IN THE CITY OF PARMA, BY  
CONSTRUCTING SANITARY SEWERS, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 225-13 10/7/13 L-225-13  
BY: S. M. TUMA, A. SCHOFIELD  
(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 SANITARY SEWER IMPROVEMENTS FOR THE WEST RIDGEWOOD DRIVE SEWER PROJECT BETWEEN STATE ROAD AND RIDGE ROAD IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

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ORDINANCE NO. 237-13      10/7/13      L-237-13  
BY: S. M. TUMA  
(By Request – Auditor)

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PARMA, OHIO, DURING THE PERIOD FROM JANUARY 1, 2014, TO AND INCLUDING MARCH 31, 2014, AND DECLARING AN EMERGENCY

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

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ORDINANCE NO. 238-13      10/7/13      L-238-13  
BY: S. M. TUMA  
(By Request – Auditor)

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PARMA, OHIO, DURING THE PERIOD FROM JANUARY 1, 2014, TO AND INCLUDING DECEMBER 31, 2014, AND DECLARING AN EMERGENCY

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

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ORDINANCE NO. 239-13      10/7/13      L-239-13  
BY: B. DAY  
(By Request – Safety Director)

AN ORDINANCE APPROVING AND RATIFYING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 639, AFL-CIO, FOR THE PERIOD OF \_\_\_\_\_, THROUGH \_\_\_\_\_, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

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

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ORDINANCE NO. 240-13      10/7/13      L-240-13  
BY: B. DAY  
(By Request – Safety Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 348-04 TO REFLECT AN INCREASE IN THE NUMBER AUTHORIZED FOR THE POSITION OF "CORRECTION OFFICER SUPERVISORS," AND

DECLARING AN EMERGENCY

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

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ORDINANCE NO. 241-13      10/7/13      L-241-13

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

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION (a) OF SECTION 331.46 "USE OF EARPHONES WHILE DRIVING" 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.

**SECOND READING:**

ORDINANCE NO. 206-13      9/16/13      L-206-13  
BY: D. LIME  
(By Request – Mayor)

AN ORDINANCE TO CONVEY CITY-OWNED LAND LOCATED AT 5850 RIDGE ROAD IN THE CITY OF PARMA CONSISTING OF PERMANENT PARCEL NUMBERS 449-04-021, 449-04-022, 449-04-063, 449-04-096, 449-04-097, 449-04-098 AND 449-04-144 TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Day to refer Ordinance No. 206-13 back to the Public Service Committee. Motion carried.

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ORDINANCE NO. 207-13      9/16/13      L-207-13  
BY: B. DAY  
(By Request – Mayor)

AN ORDINANCE TO AMEND SECTION 154.01 "DESIGNATION OF CORPORATION" OF CHAPTER 154 "PARMA COMMUNITY IMPROVEMENT CORPORATION" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Day to refer Ordinance No. 207-13 back to the Governmental Operations Committee. Motion carried.

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ORDINANCE NO. 217-13      9/16/13      L-217-13  
BY: M. CASSELBERRY  
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PROVISION OF TELEPHONE-BASED MEDICAL

ALERT MONITORING OF SENIOR CITIZENS APPROVED FOR  
PARTICIPATION IN THE "SENIOR SAFE AT HOME" PROGRAM, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 217-13 back to the Finance Committee. Motion carried.

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**SECOND READING SUSPENSION**

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 214-13, Ordinance No. 215-13 and Ordinance No. 219-13 on three different days be dispensed with?

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; motion carried.

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ORDINANCE NO. 214-13      9/16/13      L-214-13

BY: D. LIME, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS,  
L. NAPOLI, A. SCHOFIELD, S. M. TUMA  
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2013 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 Councilwoman Lime seconded by Councilman Day to amend Ordinance No. 214-13 as follows: In Section 1, line 2, insert F.P. Allega and on line 4, insert \$15,166.50. Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 214-13 as amended.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 214-13 is adopted as amended.

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ORDINANCE NO. 215-13      9/16/13      L-215-13

BY: D. LIME, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS,  
L. NAPOLI, A. SCHOFIELD, S. TUMA  
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2013 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 SECTION OF CURB, PUBLIC SIDEWALK, CATCH BASIN AND TREE LAWN WITH NEW CURB, SIDEWALK, CATCH BASIN AND STAMPED/COLORED CONCRETE BRICKSCAPE IN COMMERCIAL AREAS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Day to amend Ordinance No. 215-13 as follows: In Section 1, line 2, insert Konstruction King and on line 4, insert \$87,952.00. Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 215-13 as amended.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: No: None; Ordinance No. 215-13 is adopted as amended.

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ORDINANCE NO. 219-13      9/16/13      L-219-13  
BY: B. BROCHETTI, A. DIVIS  
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR SURVEYING, ENGINEERING AND DESIGN WORK FOR THE RIDGE ROAD SANITARY AND WATER MAIN IMPROVEMENTS BETWEEN DAY DRIVE AND THE SOUTHERN CORPORATION LIMIT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 219-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 219-13 is adopted.

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**THIRD READING:**

ORDINANCE NO. 201-13      9/3/13      L-201-13  
BY: S. M. TUMA, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS,  
M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD  
(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION (b) "RECREATION DEPARTMENT" OF SECTION 185.05 "FEES OF THE DIRECTOR OF PUBLIC SERVICE" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA RELATIVE TO THE FEES FOR YOUTH SOFTBALL AND BASEBALL LEAGUES AND THE JAMES DAY PARK PAVILION RENTAL FEE AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 201-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 201-13 is adopted.

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ORDINANCE NO. 204-13      9/3/13      L-204-13  
BY: S. M. TUMA, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS,  
M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD,  
(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 423-06 RELATIVE TO THE CREATION OF THE POSITION OF EVENING/WEEKEND UMPIRES AND THE REMOVAL OF THE PART-TIME

BASEBALL SUPERVISOR POSITION WITHIN THE DIVISION OF  
PARKS AND RECREATION, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 204-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 204-13 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 Resolution No. 218-13, Ordinance No. 221-13, Ordinance No. 222-13, Ordinance No. 226-13, Ordinance No. 227-13, Ordinance No. 228-13, Ordinance No. 230-13, Ordinance No. 231-13, Ordinance No. 233-13, Ordinance No. 234-13, Resolution No. 235-13, Ordinance No. 236-13 and Ordinance No. 242-13 on three different days be dispensed with?

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 218-13, Ordinance No. 221-13, Ordinance No. 222-13, Ordinance No. 226-13, Ordinance No. 227-13, Ordinance No. 228-13, Ordinance No. 230-13, Ordinance No. 231-13, Ordinance No. 233-13, Ordinance No. 234-13, Resolution No. 235-13, Ordinance No. 236-13, and Ordinance No. 242-13 be placed on final passage?

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; motion carried.

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RESOLUTION NO. 218-13    10/7/13    L-218-13

BY: L. NAPOLI, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS,  
D. LIME, A. SCHOFIELD, S. M. TUMA

A RESOLUTION IN SUPPORT OF KEEPING ASIAN CARP OUT  
OF THE GREAT LAKES, AND DECLARING AN EMERGENCY

Motion made by Councilman Napoli seconded by Councilman Day to amend Resolution No. 218-13 by adding U.S. Senator Rob Portman to Section 2. Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 218-13 as amended.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Resolution No. 218-13 is adopted as amended.

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ORDINANCE NO. 221-13    10/7/13    L-221-13

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC  
SERVICE TO ENTER INTO A CONTRACT UNDER THE STATE  
OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE LEASE/  
PURCHASE OF FOUR (4) 2014 INTERNATIONAL MODEL 7400 SFA  
4X2 CHASSIS FOR THE PARMA SERVICE DEPARTMENT, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 221-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 221-13 is adopted.

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ORDINANCE NO. 222-13      10/7/13      L-222-13

BY: S. M. TUMA, D. LIME  
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE LEASE/PURCHASE OF THREE (3) HENDERSON 10' MUNIBODY/HOIST/PLOW HITCH; 10' HENDERSON PLOWS/ELECTRICAL SYSTEM/CENTRAL HYDRAULICS/CHAIN CONVEYOR SYSTEM FOR THE PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 222-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 222-13 is adopted.

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ORDINANCE NO. 223-13      10/7/13      L-223-13

BY: S. M. TUMA, D. LIME  
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE LEASE/PURCHASE OF ONE (1) HENDERSON 10' MUNIBODY/HOIST/PLOW HITCH; 10' HENDERSON PLOWS/ELECTRICAL SYSTEM/CENTRAL HYDRAULICS/AUGER CONVEYER SYSTEM FOR THE PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 223-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 223-13 is adopted.

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ORDINANCE NO. 226-13      10/7/13      L-226-13

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

AN ORDINANCE TO REPEAL SECTIONS 672.13 AND 672.16 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY



Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 226-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.  
No: None; Ordinance No. 226-13 is adopted.

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ORDINANCE NO. 227-13      10/7/13      L-227-13

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

AN ORDINANCE TO REPEAL CHAPTER 787 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 227-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.  
No: None; Ordinance No. 227-13 is adopted.

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ORDINANCE NO. 228-13      10/7/13      L-228-13

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

AN ORDINANCE TO AMEND SUBSECTION (d) OF SECTION 961.05 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 228-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.  
No: None; Ordinance No. 228-13 is adopted.

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ORDINANCE NO. 230-13      10/7/13      L-230-13

BY: S. M. TUMA, B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD,  
(By Request – Clerk of Court)

AN ORDINANCE AUTHORIZING THE CLERK OF COURT TO ENTER INTO A CONTRACT WITH OPEN SYSTEMS OF CLEVELAND, AN AUTHORIZED STATE CONTRACT VENDOR, FOR THE PURCHASE OF SCANNERS FOR THE IMAGING OF COURT DOCUMENTS FOR THE PARMA MUNICIPAL COURT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 230-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.  
No: None; Ordinance No. 230-13.

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

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO. 105-13 RELATIVE TO THE AMOUNT FOR A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC., FOR THE 2013 ASPHALT PLANING, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 231-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 231-13.

BY: M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD  
(By Request – Building Commissioner)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO. 78-12 RELATIVE TO THE AMOUNT FOR A CONTRACT WITH HORIZON LAWN MANAGEMENT FOR THE CUTTING OF HIGH GRASS/WEEDS IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Councilwoman Lime – Asked how long will the City be cutting grass?

Mayor DeGeeter – Stated until Mother Nature dictates.

Mr. Brennan – Stated that the City does get reimbursed because it is placed on the taxes.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 233-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 233-13 is adopted.

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

AN ORDINANCE TO AMEND THE 2013 PERMANENT APPROPRIATIONS OF CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 234-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 234-13 is adopted.  
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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

Councilman Tuma – Asked why Council pays for the Police supplemental pages.  
Mr. Dobeck – It comes out of Council's budget historically. Stated that the Police Department has updates to its Code, and it has always been paid out of Council's budget.

Mr. Baeppler – Stated that they have tried to cut the number of copies down as much as possible, but they do have to give every officer a copy of the latest changes.

Councilwoman Lime – Asked what departments the supplemental pages go to?

Mr. Dobeck – Stated that the significant charge is the editing charge. Also stated that every department gets copies of the Code.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 235-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Resolution No. 235-13 is adopted.

BY: S. M. TUMA  
(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 Tuma seconded by Councilman Day to adopt Ordinance No. 236-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.

No: None; Ordinance No. 236-13 is adopted.

BY: A. DIVIS, B. BROCHETTI, M. CASSELBERRY, B. DAY, M. GALINAS,  
D. LIME, L. NAPOLI, A. SCHOFIELD, S. TUMA  
(By Request – City Engineer)

AN ORDINANCE PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED SIX (6) MONTHS, ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF BUSINESSES ENGAGING IN LOANS ON VEHICLE TITLES WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Deichmann – Stated that they have an application in their office for a business that wants to operate a business in a form of making loans on car titles. They

have also been told that the same company is looking at other properties in Parma, but they do not have regulations to specifically address loans on vehicle titles.

Councilwoman Lime – Asked if they were ready to bring legislation forward. Feels it is like predatory lenders.

Mr. Deichmann – Stated that there is one at Brookpark and State. Their application did not clearly state that it was a loan on vehicle titles. They did issue their certificate of zoning compliance and a building permit for that business, and they received an application for a sign permit which made it clear to them it was a business making loans on car titles. Stated that they have another application. Stated that they are looking at what they can do similar to what they did with payday loans. So, they hope to have something to Council very soon.

Councilman Tuma – Stated it is a good step forward. Stated he is all in favor of the moratorium and more restrictive legislation on these types of businesses.

Councilwoman Lime – Asked if the City could hold the applications that are currently in the Building Department.

Mr. Dobeck – Stated that the moratorium will have no effect on existing businesses, but they believe it will on the current applications.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 242-13.

Yes: Brochetti, Casselberry, Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma.  
No: None; Ordinance No. 242-13 is adopted.

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### **APPOINTMENTS AND CONFIRMATIONS**

Councilman Tuma – Stated that Council was forwarded communication from Clerk of Council Ramser regarding the appointment of Ms. Lynne Thomay to the position of Part-time Clerk in the Council Office. Motion made by Councilman Tuma seconded by Councilman Day to confirm the appointment of Ms. Lynne Thomay effective October 21, 2013, as recommended by the Clerk of Council. Motion carried.

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### **PUBLIC SESSION**

Judy Bollinger, 6917 Regency Drive – Asked if Dunkin Donuts have presented new and revised plans for the building?

Stated that the speeding and driving through stop signs remains a problem.

Stated that there are a lot of deer coming from Stearns Farm. Stated that a Deer Crossing Sign would be appreciated.

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John Matis, 1600 Rustic Trail – Stated that one of the major problems in Parma and surrounding cities is deer. Stated that they feel very strongly the need to control it. Stated that the community is being destroyed. Stated the problem started four years ago, and it could have been solved with culling being done properly. Other communities have done it. Stated that it would take at least five years to rejuvenate the plant life.

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Judy Bollinger – Stated that she is pro deer. Stated that she buys plants that are deer proof.

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Martin Drabek, 7696 Cecilia Drive – Stated that he would rather have the deer destroy his property rather than the City. Stated that the City has made a retention basin out of his yard.

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## MISCELLANEOUS BUSINESS

Mayor DeGeeter – Stated that there is a ribbon cutting ceremony at James Day Park for their exercise path on Tuesday.

Additionally, that he will be in the fire training trailer at Tri C and will learn how to put out a fire.

Also, he had an opportunity to stop at the Flamingo Ball.

Stated that there will be a press release regarding a grant that they received for an 11-person passenger vehicle. They also are receiving a donation of a 2008 GMC Envoy from Barry Axelrod.

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Safety Director Baeppler – Stated, regarding the deer problem, they are working with the Metroparks. They anticipate getting the results of their study. They will make a presentation at that time.

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Service Director – No comment.

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Auditor Kish – No comment.

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Mr. Dobeck – Wanted to comment on whether or not an e-mail or text is public record. It boils down to the definition of public record. There is a three-part test to determine what a public record is in Ohio. All three of them have to be present for it to be determined. The first is, it has to be stored in a fixed medium. The second is, it has to be created, received or sent under the jurisdiction of the public office, and those are usually the two that are easy. The third one which becomes the difficult portion of the test is, it has to document the organizations, functions, policies, decisions, procedures, operations or other activities of the office. So, the example is, if a Councilman asks how the weekend was in an e-mail to another Councilman, that doesn't document the office. So, it is not considered a public record by definition. So, it becomes a fact specific inquiry to determine whether it is a public record.

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Treasurer Mastroianni – No comment.

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Councilman Brochetti – Thanked County Council Member Chuck Germana for coming to the Meeting. Stated that he had the opportunity to attend the Ohio Shell Development Economic Impact Opportunities Forum. It was presented by the Parma Area Chamber of Commerce and was held at Tri C. Stated it was very educational. It talked about drilling and fracking. Commented on the deer issue. Stated that he feels they need to take a comprehensive look at the issue.

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Councilman Casselberry – No comment.

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Councilman Day – Stated that they will keep working on the deer issue. They did coordinate with the Metroparks. Stated that the problem is throughout the State. Stated that there are issues with culling such as the cost and safety issues. There are also issues with bow hunting. It is something that needs a regional approach. Stated that they will continue to work with the Metroparks and Division of wildlife.

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Councilman Divis – Stated that he had an opportunity to present a resolution to Eagle Scout Sean King. Stated that he is a great young man.

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Councilwoman Galinas – Thanked Senior Citizen Director JoAnn Mason, Fire Department Spokesman Doug Turner, Dave Lincheck from West Creek and Barb Gardin from Friends of Big Creek for helping host her Ward Meeting. Stated that the Snow Road Project has gone very well.  
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Councilwoman Lime – Stated that there are deer even in Ward Two. Asked if we could have an update on revenues at the next Finance Committee Meeting. Asked for discussion on vacant houses.  
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Councilman Napoli – Stated that on October 27<sup>th</sup>, the All Kids Fundraiser will be held at the Rock City Tap House. Stated that he will follow up with an e-mail. Stated that there will be a Night at the Races for the Animal Shelter.  
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Councilman Schofield – No comment.  
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Councilman Tuma – Stated that people are very passionate about the deer issue. They either love them or really hate them. Stated that Council has addressed the issue with respect to the Metroparks and Division of Wildlife. He is looking forward to discussing the findings. There will be further discussion.

Stated statistically, individuals who are Eagle Scouts move on to do great things.

Stated they will be discussing finances in the future. It is as important now as it ever is with the way State cuts have come down on cities and municipalities because of the fact we have had so much reduced by the State. It only gets worse as it goes forward.  
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Mr. Brennan – Stated it is always a pleasure to have Mr. Germana here. Commended Mr. Dobeck on a great scholarship dinner last week for the City of Parma Andrew Boyko Memorial Scholarship Foundation. Thanked everyone who came and helped out.

Stated that he has noticed stickers on the blue mail boxes. Those are the mail boxes that the Post Office is planning on removing. Stated that the response from the Post Office is that 37 collection boxes are scheduled to be removed due to low mail volume. It is part of a cost savings measure from the Post Offices.  
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### **ADJOURNMENT**

Motion made by Councilman Day seconded by Councilwoman Lime to adjourn the Council Meeting at 8:20 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, October 7, 2013.



KENNETH A. RAMSER  
CLERK OF COUNCIL



SEAN P. BRENNAN  
PRESIDENT OF COUNCIL