

DECEMBER 7, 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: ALLAN DIVIS
DEBORAH LIME
SCOTT M. TUMA
BRIAN BROCHETTI
MARK CASSELBERRY
JEFFREY CROSSMAN
BRIAN DAY

COUNCIL MEMBERS EXCUSED: VITO DIPIERRO
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 Tim Dobeck, Auditor Dennis Kish Treasurer Tom Mastroianni, Public Works Coordinator Jack Sparks, Safety Director Michael O'Malley, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Economic Development Officer/Grant Writer Shelley Cullins and Clerk of Council Kenneth A. Ramser.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cub Scout Pack 371.

VOICE VOTE

RESOLUTION NO. 241-15 12/7/15 L-241-15
BY: **BRIAN DAY**, BRIAN BROCHETTI, MARK CASSELBERRY, JEFFREY CROSSMAN,
VITO DIPIERRO, ALLAN DIVIS, DEBORAH LIME, LARRY NAPOLI, SCOTT M.
TUMA

A RESOLUTION HONORING VERSO RESTAURANT BUSINESS OF THE
MONTH - NOVEMBER, 2015

Motion made by Councilman Tuma seconded by Councilman Day to adopt
Resolution No. 241-15. Motion carried.

Councilman Day - Presented Ed Ripepi the Resolution along with certificates from
the Treasurer and Law Director.

Mayor DeGeeter - Presented Ed Ripepi with a Proclamation.
Ed Ripepi - Thanked everyone for the Resolution.

LEGISLATIVE COMMENT

Mr. Brennan - Asked if anyone from the public would like to comment on any legislation that Council will be taking final action. No one wished to comment.

DISPOSAL OF JOURNAL

Mr. Brennan - Stated, we have the Minutes from the Regular Council Meeting held on November 16, 2015. Asked if there were any additions or corrections to the Minutes? Hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Notice of Legislative authority from the Ohio Department of Liquor Control for a transfer of D5 and D6 from Ponz Industries Inc., 5542 Pearl Rd, Parma, Ohio 44129. Mailed on November 19, 2015. Responses must be postmarked no later than December 21, 2015.

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

Notice of Legislative authority from the Ohio Department of Liquor Control for a transfer of C1, C2 and D6 from 7 Eleven Inc. DBA 7 Eleven 36736, 7510 Broadview Rd, Parma, Ohio 44134. Mailed on November 30, 2015. Responses must be postmarked no later than December 31, 2015.

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

Correction letter received from Division of Liquor Control to disregard the notice for a D5 permit application for BPOE Lodge 1938 Parma, 2350 Snow Rd, Parma, Ohio 44129. This notice was previously sent on November 6, 2015.

Councilman Divis - Stated that Mr. Bruce G. Rinker, representing Sheetz located at 5795 West 130th Street on Permanent Parcel Number 441-20-001 is requesting a second 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.

Their first extension was granted on June 1, 2015. This will be the second request for an extension of the variance on this project.

Motion made by Councilman Divis seconded by Councilman Day to grant the variance extension. Motion carried.

Councilman Divis - Stated that pursuant to P.C.O. 1127.12, Mr. David Buccieri for property at 7510 Snow Rd is requesting a second six-month extension to their Area Variance previously granted by Council due to weather issues and delay in approval of plans. The request is for parking for a new club.

The first extension was granted on June 1, 2015. This will be the second request for an extension of the variance on the project.

Motion made by Councilman Divis seconded by Councilman Day to grant the variance extension. Motion carried.

FIRST READING:

BY: SCOTT M. TUMA
(By Request - Mayor)

ORDINANCE NO. 242-15 12/7/15 L-242-15

AN ORDINANCE CREATING A TAX INCREMENT FINANCE DISTRICT AND DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CROSSROADS OF PARMA TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING IMPROVEMENTS TO BE MADE THAT WILL BENEFIT OR SERVE SUCH PROPERTY; REQUIRING THE OWNERS OF SUCH PROPERTY TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING THE DOWNTOWN PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY

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

SECOND READING SUSPENSION:

BY: SCOTT M. TUMA
(By Request - Mayor)

RESOLUTION NO. 247-15 11/15/15 L-247-15

A RESOLUTION TO APPROVE AND AUTHORIZE THE TRANSFER OF FUNDS FROM THE LAND ACQUISITION FUND 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 - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 247-15 on three different days be dispensed with?

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day
No: None; Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 247-15.

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day
No: None; Resolution No. 247-15 is adopted.

THIRD READING:

ORDINANCE NO. 214-15 10/5/15 L-214-15
BY: SCOTT 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, 2016, TO AND INCLUDING MARCH 31, 2016, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 214-15 by accepting Exhibit A. Further, I move to waive Rule 52 and place Ordinance No. 214-15 on Third Reading as amended for passage. Motion carried.

Councilman Crossman asked if this legislation will prevent a end of year meeting.

Auditor Kish stated that this legislation does not affect end of year. The end of the year legislation has to do with balancing the accounts and is hoping that the legislation at the December 22 Council meeting would take care of balancing the accounts.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 214-15 as amended.

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Ordinance No. 214-15 is adopted as amended.

ORDINANCE NO. 220-15 10/19/15 L-220-15
BY: **SCOTT M. TUMA**, ALLAN DIVIS, DEBORAH LIME, BRIAN BROCHETTI
MARK CASSELBERRY, JEFFREY CROSSMAN, BRIAN DAY
(By Request - Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT TO PROVIDE PUBLIC HEALTH SERVICES FOR THE CITY OF PARMA RESIDENTS FOR THE YEAR 2016 AND APPROPRIATING THE SUM OF \$319,876.00, AND DELCARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 220-15.

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Ordinance No. 220-15 is adopted.

ORDINANCE NO. 228-15 11/2/15 L-228-15
BY: **BRIAN DAY**, ALLAN DIVIS, DEBORAH LIME, SCOTT M. TUMA
BRIAN BROCHETTI, MARK CASSELBERRY, JEFFREY CROSSMAN
(By Request - Mayor)

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF PARMA, THE QUESTION OF COUNCIL

AMENDING SECTIONS 618.11 "HUNTING OR TRAPPING PROHIBITED" AND 618.21 "HUNTING PROHIBITED" OF CHAPTER 618 "ANIMALS" OF PART SIX-GENERAL OFFENSES CODE AND SECTION 961.02 "PARK PROPERTY" OF CHAPTER 961 "PARKS AND RECREATION FACILITIES" OF PART NINE-STREETS AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AUTHORIZING A NUISANCE ABATEMENT INITIATIVE FOR BOTH SHORT TERM AND LONG TERM CONTROL AND REDUCTION OF THE WHITE-TAILED DEER POPULATION IN COORDINATION WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES AND CONTIGUOUS, ADJOINING, POLITICAL SUBDIVISIONS THAT OPT TO ADOPT A SIMILAR PLAN FOR NUISANCE ABATEMENT, ESTABLISHING AN ELECTION DATE THEREFOR, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 228-15.

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Ordinance No. 228-15 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 243-15 and Ordinance No. 248-15 on three different days be dispensed with?

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 243-15 and Ordinance No. 248-15 be placed on final passage?

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Motion carried.

RESOLUTION NO. 243-15 12/7/15 L-243-15
BY: **MARK CASSELBERRY**, ALLAN DIVIS, DEBORAH LIME, SCOTT M. TUMA,
BRIAN BROCHETTI, JEFFREY CROSSMAN, BRIAN DAY
(By Request - Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 443-19-067, 5508 BRADLEY AVENUE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 243-15.

Councilman Casselberry stated that this property has taken many resources and it continues to receive violations. Also, he would appreciate everyone's support on this legislation.

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Resolution No. 243-15 is adopted.

BY: ALLAN DIVIS, DEBORAH LIME
(By Request - City Engineer)

AN ORDINANCE PLACING A TEMPORARY MORATORIUM, NOT TO EXCEED ONE HUNDRED TWENTY (120) 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

Motion made by Councilman Tuma seconded Councilman Day to adopt Ordinance No. 248-15.

Yes: Divis, Lime, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Ordinance No. 248-15 is adopted.

PUBLIC SESSION

Ken Ehlert stated that he would like something said about Pearl Harbor Day.

Jessica and Megan from Mr. Brennan's class - stated that it was a good experience attending the meeting, and seeing how it differs from their City's Council meeting.

MISCELLANEOUS BUSINESS

Mayor DeGeeter - Thanked Chris Knebusch and Linda Cross for their work on the Christmas parade. Also that the city is again holding the Holiday Lighting Tour and nominations are needed. The third Small Business Saturday was a success.

Safety Director O'Malley - Asked that everyone keep the Sposit family in their prayers. Congratulated the Parma Police Department in apprehending the shooter.

Public Works Coordinator Sparks - No Comment

Auditor Kish - No Comment

Law Director Dobeck - No Comment

Treasurer Mastroianni - No Comment

Councilman Divis - Stated that the Christmas parade was well attended and there more participants than last year. Also that he attended a celebration for Mary Tench who turned 104 yrs old and it was a pleasure.

Councilwoman Lime - Stated that she heard back from the businesses in Ward 2 regarding Small Business Saturday and they were pleased with the results. Also that the parade was better than in past years.

Councilman Tuma - Welcomed the students and thanked Councilman Day for nominating Verso for business of the month. Thanked the Mayor for letting him sit in at the press conference for Shoppes at Parma.

Councilman Brochetti - Stated that Rito's bakery in Ward 7 will be featured on Food Network's, Guilty Pleasure airing this evening at 10 P.M.

Councilman Casselberry - Thanked his colleagues for their support on Resolution No. 243-15. Also felt that the Christmas Parade was well attended. Stated that there is a Veteran in Parma Hts., that survived the Pearl Harbor attacks and that we should never forget.

Councilman Crossman - No Comment

Councilman Day - Thanked his colleagues for their support on Ordinance No. 228-15. Congratulated Ed Ripepi. It was a honor for him to recognize Ed.

President of Council Brennan - Stated that the new owners of Shoppes at Parma are adding another 15 million into the project. Also that it was nice to see Division 1 playoffs played at Byers Field.

REPORT ON ABSENT OFFICIALS

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

ADJOURNMENT

Motion made by Councilman Day seconded by Councilman Brochetti to adjourn said meeting at 7:47 P.M. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council of 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, December 7, 2015.

/s/ Kenneth A. Ramser

KENNETH A. RAMSER
CLERK OF COUNCIL

/s/ Sean P. Brennan

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

(Minutes compiled December 9, 2015/kj)