SEPTEMBER 14, 2015 SPECIAL COUNCIL MEETING MINUTES PARMA COUNCIL CHAMBERS 8:56 P.M.

The Special Council Meeting was called to order by President of Council Sean P. Brennan Presiding:

COUNCIL MEMBERS PRESENT:

VITO DIPIERRO **ALLAN DIVIS DEBORAH LIME** LARRY NAPOLI SCOTT M. TUMA **BRIAN BROCHETTI** MARK CASSELBERRY JEFFREY CROSSMAN **BRIAN DAY**

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, Assistant Law Director Timothy Miller, Auditor Dennis Kish, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Michael O'Malley, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Resources Thomas Weinreich, Chief of Staff Michael Culp, Clerk of Council Kenneth A. Ramser.

NOTICE OF SPECIAL MEETING OF COUNCIL

The State of Ohio)

Cuyahoga County) ss: Clerk of Council Kenneth A. Ramser; Greetings

City of Parma

WHEREAS, it appears that the public business of this City requires that the Council meet in Special Session to consider such business as may come before it, and,

WHEREAS, I have convened and do hereby convene said City Council to meet in Special Session on the 14th day of September, 2015, an immediately following Committee Meetings and Special Public Housing Meeting which commence at 7 P.M., Eastern Daylight Savings time, at the Council Chamber in said City to consider such matters as may come before it as fully and completely as might be done in regular session of said Council:

SPECIAL COUNCIL MEETING:

SECOND READING PENDING OUTCOME OF COMMITTEE MEETING:

ORDINANCE NO. 185-15

9/8/15

L-185-15

BY: B. DAY

(By Request-Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH PHYSIO-CONTROL, SOLE SOURCE PROVIDER, FOR TECHNICAL SERVICE SUPPORT AGREEMENT FOR EIGHT (8) LIFE-PAK 15'S FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN **EMERGENCY**

To be referred back to the Finance Committee.

SECOND READING SUSPENSION PENDING OUTCOME OF COMMITTEE MEETING:

RESOLUTION NO. 184-15

9/8/15

L-185-15

BY: B. BROCHETTI

(By Request-Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 457-14-008, 12922 WEST LINDEN LANE, PARMA, OHIO, AND DECLARING AN EMERGENCY

THIRD READING PENDING OUTCOME OF COMMITTEE MEETING:

ORDINANCE NO. 148-15

7/20/15

L-148-15

BY: B. DAY

(Special Meeting)

(By Request-Mayor)

AN ORDINANCE ENACTING CHAPTER 967 UNDER TITLE FIVE OF PART SEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, OHIO, TO PROVIDE FOR THE COLLECTION OF FEES FOR RESIDENTIAL WASTE COLLECTION, AND DECLARING AN EMERGENCY

ORDINANCE NO. 149-15

B. DAY

BY:

BY:

7/20/15

L-149-15

(Special Meeting)

(By Request-Mayor)

AN ORDINANCE AUTHORIZING THE SOLID WASTE COLLECTION FEE FOR RESIDENTIAL ACCOUNTS FOR THE FOURTH CALENDAR QUARTER OF YEAR 2015 AND FOR YEAR 2016, AND DECLARING AN EMERGENCY

ORDINANCE NO. 169-15

B. DAY

7/20/15

L-169-15

(Special Meeting)

(By Request-Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CITY OF CLEVELAND DIVISION OF WATER FOR THE COLLECTION OF FEES RELATED TO RESIDENTIAL REFUSE COLLECTION IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

SUSPENSION OF THE RULES

ORDINANCE NO. 192-15

9/14/15 (Special Meeting)

L-192-15

BY: S.M. TUMA

(By Request-Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT UNDER CIRCUMSTANCES CONSTITUTING A REAL AND PRESENT EMERGENCY WITH CROSS-ROADS ASPHALT RECYCLING, INC. FOR THE STREET REPAIR TO WEST 130TH STREET AND SNOW ROAD, AND DECLARING AN EMERGENCY

You are therefore commanded to summon: Mayor Timothy DeGeeter, Auditor Dennis M. Kish, Law Director Timothy Dobeck, Treasurer Thomas Mastroianni, Council President Sean P. Brennan, Brian Brochetti, Mark Casselberry, Jeffrey Crossman, Brian Day, Vito Dipierro, Alan Divis, Deborah Lime, Lawrence Napoli, Scott M. Tuma, and Kenneth A. Ramser, Clerk of said Council, to meet in Special Session as aforesaid for the purposes aforesaid.

Hereof fail not and have you then and there this Writ, with your return thereon in what manner you have executed the same.

/seal/

In testimony whereof, I have hereunto set my hand and caused the corporate seal of said City to be hereunto affixed, this 11th Day of September AD 2015.

_____/s/ Sean P. Brennan____ City of Parma PRESIDENT OF COUNCIL SEAN P. BRENNAN

CERTIFICATE OF SERVICE NOTICE OF SPECIAL MEETING OF COUNCIL

I, Karen Jones Deputy Clerk I of the City of Parma, Ohio, do hereby certify that on September 11, 2015, I received the notices of a Special Meeting of Council, a copy of which is attached hereto, and that in accordance with the instructions given to me, I have served each person named in the notice with the notice by Electronic Mail (e-mail) with the notice on September 11, 2015 at 3 PM, which date and time is more than twelve hours prior to the time of the Special Meeting.

Signed	/s/ Karen Jones
	City of Parma, Ohio.

DISPENSE WITH THE REGULAR ORDER OF BUSINESS

Motion made by Councilman Tuma seconded by Councilman Day to dispense with the regular order of business and to waive the Rules of Council, at this time, in order to hold this special Council Meeting. Motion carried.

LEGISLATIVE COMMENT

Ray Rosenberger - 6232 North Canterbury Rd. Stated that he is not bothered with the implementation of the garbage fee, but how it was done by not including the community in the discussion. Also that we need to change the way the community interacts with the government. He read the contract with Cleveland Water and stated there is no "dispute resolution" in it. Asked where does the money go when only a portion of the bill is paid and that a resident can have a their water turned off for not paying the garbage fee portion. Stated that this is taxation without representation. Said that the respectful thing to do would be to table the garbage fee legislation.

Mary Galinas - Thanked Ray Rosenberger about the letter that was sent out 2 years ago informing the public or the new garbage pick up. Stated that there were meetings letting the public talk about their concerns and the Mayor and the Council assured the public there would be no charge for garbage. Also that there should have been a letter that went out to the public informing them about the fee and that the majority of residents will not know about the fee until they get their water bill. She asked that the legislation be tabled because when she was a Councilwoman she promised there would be no fee.

SECOND READING:

ORDINANCE NO. 185-15

9/8/15

L-185-15

BY B. DAY

(By Request-Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH PHYSIO-CONTROL, SOLE SOURCE PROVIDER, FOR TECHNICAL SERVICE SUPPORT AGREEMENT FOR EIGHT (8) LIFE-PAK 15'S FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 185-15 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

RESOLUTION NO. 184-15

9/8/15

BY: B. BROCHETTI, V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI, S. M. TUMA, M. CASSELBERRY 1. CROSSMAN. B. DAY

(By Request-Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 457-14-008, 12922 WEST LINDEN LANE, PARMA, OHIO, AND DECLARING AN **EMERGENCY**

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 184-15 on three different days be dispensed with?

Yes:

Dipierro, Divis, Lime, Napoli, Tuma, Brochetti, Casselberry, Crossman, Day

No: None; Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 184-15. Councilman Brochetti - Stated that the residents have come to the Council meetings in the past, this is the last effort to make the resident be in compliance.

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

None; Resolution No. 184-15 is adopted. No:

THIRD READING:

ORDINANCE NO. 148-15

7/20/15

L-148-15

BY: B. DAY

(By Request-Mayor)

(Special Meeting)

AN ORDINANCE ENACTING CHAPTER 967 UNDER TITLE FIVE OF PART SEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, OHIO, TO PROVIDE FOR THE COLLECTION OF FEES FOR RESIDENTIAL WASTE COLLECTION, AND **DECLARING AN EMERGENCY**

Motion made by Councilman Tuma and seconded by Councilman Day to amend Ordinance No. 148-15 as follows: In Section 1, under proposed P.C.O. Section 967.03 Definitions, subsection (c) shall be amended to read as follows:

- "(c) 'Other qualified residential property'... Other Qualified residential property shall include, but is not limited to the following condominium complexes:
 - 1. Arbor Park
 - 2. Peachtree
 - 3. Sandpiper
 - 4. Regency Highlands

The Condominium complexes of Stratford Village, Snow Village 1, Snow Village 2 and Concord Square, which were previously covered in the solid waste collection contract between Republic and Parma. beginning on October 1, 2015, will be no longer be included in said contract and therefore those condominium complexes may henceforth contract directly with Republic or another vendor of their choice." This Ordinance shall be placed on Third Reading for passage as amended. Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt as amended Ordinance No. 148-15.

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

No: Dipierro, Napoli; Ordinance No. 148-15 is adopted as amended. *Lime: Stated this is a hard vote. Also she is looking forward to the priorities of this Administration because of the fee. She expressed her concern that the Police force needs to stay strong to keep the city safe. Also she asked herself what kind of Parma does she want, so that is why she voted yes.

*Tuma: Stated he asked the Mayor if the fee is imperative and he said if we do not have this assessment there will be cuts to the safety forces, that is something he is not willing to do. Also said while this is a difficult vote, it is the right vote.

*Brochetti: Stated he is voting with extreme hesitation and only after discussion with his residents. Also that this is only a bandage to the problem and they will need other solutions in the future.

*Casselberry: Stated that this is not a popular vote and his most difficult vote to this date. Also with his conversations with his residents all but one understood why the fee is needed.

*Crossman: Stated that he did not support the fee until recently. He said that there is a lot of seniors that are on fixed incomes that this will be a hardship for, but does not want the safety forces cut that is important for the seniors. Also that they will need to be creative in the future with the budget.

ORDINANCE NO. 149-15

7/20/15 L-149-15

(Special Meeting)

BY: B. DAY

(By Request-Mayor)

AN ORDINANCE AUTHORIZING THE SOLID WASTE COLLECTION FEE FOR RESIDENTIAL ACCOUNTS FOR THE FOURTH CALENDAR QUARTER OF YEAR 2015 AND FOR YEAR 2016, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 149-15 as follows: In Section 1, the blank shall read 'Twelve dollars (\$12.00) per month' In Section 2, the blank shall read 'Eleven dollars (\$11.00) per month' This Ordinance shall be placed on Third Reading for passage as amended. Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt amended Ordinance No. 149-15.

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

No: Dipierro, Napoli; Ordinance No. 149-15 is adopted as amended.

ORDINANCE NO. 169-15

7/20/15

(Special Meeting)

L-169-15

BY: B. DAY

(By Request-Mayor)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CITY OF CLEVELAND DIVISION OF WATER FOR THE COLLECTION OF FEES RELATED TO RESIDENTIAL REFUSE COLLECTION IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 169-15 by accepting Exhibit "A". This Ordinance shall be placed on Third Reading for passage as amended.

Lime: Asked if the Law Department have reviewed and have no concerns?

Assistant Law Director Miller: Stated that all parts of this agreement meet with the approval of the Law Department.

Motion made by Councilman Tuma seconded by Councilman Day to adopt as amended Ordinance No. 169-15.

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

No: Dipierro, Napoli; Ordinance No. 169-15 is adopted as amended.

*Lime: Stated that she is voting yes with caution and reservation on dealing with the Water Department.

*Tuma: Stated that he intends to work with Representative Celebrezze to get the billing back into the City of Parma's hands giving the taxpayers a savings.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 192-15 on three different days be dispensed with?

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

No: None: motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance

No. 192-15 be placed on final passage?

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

No: None; motion carried.

ORDINANCE NO. 192-15

9/14/15

(Special Meeting)

L-192-15

BY: S. M. TUMA

(By Request-Service Department)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONRACT UNDER CIRCUMSTANCES CONSTITUTING A REAL AND PRESENT EMERGENCY WITH CROSS-ROADS ASPHALT RECYCLING, INC. FOR THE STREET REPAIR TO WEST 130TH STREET AND SNOW ROAD, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 192-15.

Mr. Brennan: Asked if the City was responsible for the cost of the repair?

Service Director Higgins stated that agreement with the Cleveland Water is that they fix the pipe and the City fixes the street. Also that Cleveland Water cannot pay directly for the street repair so once it is completed the City will forward the cost to the City of Cleveland for a refund.

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

No: None; Ordinance No. 192-15 is adopted.

ADJOURNMENT

Motion made by Councilmen Day seconded by Councilman Divis to adjourn the Special Council Meeting at 9:25 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 Special Council Meeting held on Monday, September 14, 2015. Motion carried.

/s/ Kenneth A. Ramser

KENNETH A. RAMSER CLERK OF COUNCIL /s/ Sean P. Brennan

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Minutes completed on September 21, 2015/kj