

AUGUST 5, 2019  
REGULAR COUNCIL MEETING MINUTES  
PARMA COUNCIL CHAMBERS  
9:49 P.M.

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

COUNCIL MEMBERS PRESENT:                   ROY J. JECH  
                                                          DENNIS M. KISH  
                                                          DEBORAH LIME  
                                                          LARRY NAPOLI  
                                                          KRISTIN L. SABAN  
                                                          BRIAN BROCHETTI  
                                                          VITO DIPIERRO

COUNCIL MEMBERS EXCUSED:                MARK CASSELBERRY  
                                                          ALLAN DIVIS

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, Deputy Auditor Mark Prok, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Thomas Weinreich, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Carolyn Kovach, Chief of Staff Michael Culp and Clerk of Council Kenneth A. Ramser.

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**INVOCATION**

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

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**PLEDGE OF ALLEGIANCE**

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**LEGISLATIVE COMMENT**

No one wished to speak.

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**DISPOSAL OF JOURNAL**

Mr. Brennan – Stated, you have before you the Minutes of the Tax Budget Hearing of July 1, 2019 and Regular Council Meeting of July 1, 2019. Asked if there were any additions or corrections? Stated, hearing none, these Minutes will stand as printed.

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**COMMUNICATIONS, PETITIONS AND CLAIMS**

Law Director Dobeck gave a brief explanation of the law suit, regarding Patricia Vairetta v. City of Parma et al.

Motion made by Councilwoman Lime seconded by Councilman Brochetti for the Request for Representation for Patricia Vairetta v. City of Parma et al. Motion carried.

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Councilman Jech – Stated the Planning Committee of Council met on August 5, 2019, to discuss the Notice of Proposal to Vary for the Applicant Chad Henderson, 1791 Oaklawn Drive. PPN 443-03-001.

The request is for an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(d)(2)-SINGLE FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDING-REGULATIONS-PARKING OF RECREATIONAL VEHICLE. The proposal is to park 36' (corrected to 35 1/2') motor home on concrete drive in front of home at 1791 Oaklawn Drive. Any owner of recreational equipment may park or store such equipment, not in excess of 24' in overall length on property owned by him. This variance would result in allowing to store on concrete drive in front of residence a recreational equipment that is 12' (corrected to 11 1/2') more in overall length than Code allows. I make this motion to recommend to Council to grant this variance with the stipulation that the vehicle (travel trailer) is parked from April 1 until October 31 (in the same year). With this variance being granted the essential character of the neighborhood would not be substantially altered and the adjoining properties would not suffer a substantial detriment as a result of this variance and also the spirit and intent behind the Zoning/Building requirements would be observed and substantial justice done by granting this variance." To note, we will call it a recreational vehicle because that is what the Code states that it is – "recreational vehicle."

Motion made by Councilman Jech seconded by Councilwoman Lime to Grant the Variance with the stipulation that the vehicle (travel trailer) is parked from April 1 until October 31 (in the same year) as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Councilman Jech – Stated the Planning Committee of Council met on August 5, 2019, to discuss the Notice of Proposal to Vary for the Applicant Dan Kozempa, 2915 Grovewood Ave. PPN 444-10-155.

The request is for an "AREA" Variance of the City of Parma Codified Ordinances of Section 1153.03 (a) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS. The proposal is to build new garage larger in area than Code permits at 2915 Grovewood Ave. Maximum size of garage permitted on lot size 40' x 135' (5,400 sq. ft. lot area) is 650 sq. ft. The proposed garage is 35' x 28' for 980 sq. ft. area. This variance would result in allowing 330 more sq. ft. in area for garage. I recommend this because the essential character of the neighborhood would not be substantially altered and the adjoining properties would not suffer a substantial detriment as a result of this variance and the spirit and intent behind the Zoning Board requirement would be observed and substantial justice be done by granting this variance."

Motion made by Councilman Jech seconded by Councilwoman Saban to Grant the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Councilman Jech – Stated the Planning Committee of Council met on August 5, 2019, to discuss the Notice of Proposal to Vary for the Applicant Anatoliy Mishckuk, 4217 Walter Avenue. PPN 444-03-001.

The request is for an "Area" variance of the City of Parma Codified Ordinances of Section 1185.05(d) – HEIGHT REGULATIONS – HEIGHT DISTRICT EXCEPTIONS. The proposal is to build new detached garage 18'2" in height on property at 4217 Walter Avenue. An accessory building shall not exceed 15' in height at the highest point of the roof nor be more than one story in a residential district. This variance would result in allowing height of garage to be 3'2" more than allowed by Code. The stipulation is that the Applicant revises the plans to meet the

building code and correct the building elevations to properly depict the change in grade and to include plans to meet the electrical code. I make this recommendation because the property owner's predicament cannot be obviated through any other method other than a variance and by granting the variance the spirit and intent behind the building/zoning requirement would be observed and substantial justice be done by granting this variance."

Motion made by Councilman Jech seconded by Councilwoman Lime to Grant the Variance with the stipulation that the Applicant revises the plans to meet the building code and correct the building elevations to properly depict the change in grade and to include plans to meet the electrical code as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Notice of Legislative Authority from the Ohio Division of Liquor Control for a New Liquor Permit D5 for AV Nail Spa Parma Inc. DBA Antony Vince Nail Spa, 7777 W Ridgewood Drive Ste. 809, Parma, Ohio, 44129. Mailed on July 22, 2019, responses must postmarked no later than August 22, 2019.

Mr. Brennan – Said Liquor permit shall be referred to the Ward Council and Safety Director.

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Notice of Legislative Authority from the Ohio Division of Liquor Control for a New Liquor Permit C1 & C2 for Parma Foodmart LLC, 5337 Broadview Avenue, Parma, Ohio, 44134. Mailed on July 1, 2019, responses must be postmarked no late than August 1, 2019.

Mr. Brennan- Said Liquor permit shall be referred to the Ward Council and Safety Director.

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### **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

#### **FIRST READING:**

	RESOLUTION NO. 148-19	8/5/19	L-148-19
BY:	B. BROCHETTI (By Request – Auditor)		

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER AND DECLARING AN EMERGENCY

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

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	RESOLUTION NO. 150-19	8/5/19	L-150-19
BY:	R. J. JECH (By Request – Building Commissioner)		

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 446-05-130, 3302 WALES AVENUE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Public Safety Committee.

ORDINANCE NO. 151-19

8/5/19

L-151-19

BY: K. L. SABAN  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND CONVEYANCE OF CERTAIN REAL PROPERTY IN THE CITY OF PARMA, OHIO IN CONNECTION WITH THE ESTABLISHMENT OF A TAX INCREMENT FINANCING PROGRAM UNDER OHIO REVISED CODE SECTION 5709.41; AUTHORIZING A DEVELOPMENT AGREEMENT IN CONNECTION WITH THE DEVELOPMENT AND REDEVELOPMENT OF SUCH REAL PROPERTY, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 152-19

8/5/19

L-152-19

BY: D. LIME  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR A SCHOOL ZONE PHOTO ENFORCEMENT PROGRAM, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 153-19

8/5/19

L-153-19

BY: D. LIME, K. L. SABAN  
(By Request – Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2019 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

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

ORDINANCE NO. 154-19

8/5/19

L-154-19

BY: D. LIME  
(By Request – Community Services/Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2019 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 SECTIONS OF COMMERCIAL





BY: D. LIME  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A TRAINING SERVICE AGREEMENT TO TRANSFER FIVE (5) STRETCHERS FROM THE PARMA FIRE DEPARTMENT TO CUYAHOGA COMMUNITY COLLEGE FOR EMS CADET TRAINING, IN EXCHANGE FOR FIRE SERVICE TRAINING, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Ordinance No. 135-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.

No: None; Ordinance No. 135-19 is adopted.

BY: D. LIME  
(By Request – Public Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A SERVICE AGREEMENT WITH ONLINE SOLUTIONS LLC, (CITIZENSERVE) FOR USER SUBSCRIPTIONS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Ordinance No. 137-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.

No: None; Ordinance No. 137-19 is adopted.

BY: **K. L. SABAN**, D. LIME, L. NAPOLI  
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO REIMBURSE THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS FOR THE BROADROCK COURT DRILL DROP PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Ordinance No. 138-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.

No: None; Ordinance No. 138-19 is adopted.

**SUSPENSION OF THE RULES:**

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 144-19, Resolution No. 145-19, Ordinance No. 146-19, Resolution No. 147-19, Resolution No. 149-19, Resolution No. 155-19 and Ordinance No. 157-19 on three different days be dispensed with?

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.  
No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 144-19, Resolution No. 145-19, Ordinance No. 146-19, Resolution No. 147-19, Resolution No. 149-19, Resolution No. 155-19 and Ordinance No. 157-19 be placed on final passage?

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.  
No: None; motion carried.

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BY: D. LIME, D. M. KISH  
(By Request – Community Services & Economic Development Director)

ORDINANCE NO. 144-19                      8/5/19                      L-144-19

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO. 99-19 RELATIVE TO THE 2019 COUNTY DEMOLITION PROGRAM FOR THE DEMOLITION OF ALL DESIGNATED DWELLING STRUCTURES IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Ordinance No. 144-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.  
No: None: Ordinance No. 144-19 is adopted.

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BY: B. BROCHETTI  
(By Request – Auditor)

RESOLUTION NO. 145-19                      8/5/19                      L-145-19

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

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Resolution No. 145-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.  
No: None; Resolution No. 145-19 is adopted.

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BY: B. BROCHETTI  
(By Request – Auditor)

ORDINANCE NO. 146-19                      8/5/19                      L-146-19

AN ORDINANCE TO AMEND THE 2019 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Ordinance No. 146-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.  
No: None; Ordinance No. 146-19 is adopted.

RESOLUTION NO. 147-19                      8/5/19                      L-147-19

BY: L. NAPOLI, A. DIVIS, R. J. JECH, D. M. KISH, D. LIME, K. L. SABAN, B. BROCHETTI, M. CASSELBERRY, V. DIPIERRO  
(By Request – Mayor)

A RESOLUTION SUPPORTING WEST CREEK CONSERVANCY’S CLEAN OHIO GREENSPACE ROUND 14 GRANT APPLICATION FOR THE WEST CREEK GREENWAY BY THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Resolution No. 147-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.

No: None; Resolution No. 147-19 is adopted.

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RESOLUTION NO. 149-19                      8/5/19                      L-149-19

BY: B. BROCHETTI, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, R. J. JECH, D. M. KISH, D. LIME, L. NAPOLI, K. L. SABAN  
(By Request – Mayor)

A RESOLUTION SUPPORTING THE CITY OF PARMA CUYAHOGA COUNTY HEALTHY URBAN TREE CANOPY GRANT PROGRAM APPLICATION, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilwoman Saban to adopt Resolution No. 149-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.

No: None; motion carried.

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RESOLUTION NO. 155-19                      8/5/19                      L-155-19

BY: L. NAPOLI, B. BROCHETTI, D. M. KISH, R. J. JECH  
(By Request – City Engineer)

A RESOLUTION AUTHORIZING THE MAYOR TO FILE AN APPLICATION AND TO ENTER INTO A CONTRACT WITH THE OHIO PUBLIC WORKS COMMISSION ON BEHALF OF THE CITY OF PARMA, FOR RIDGE ROAD REPAIRS AND RESURFACING, WEST RIDGEWOOD DRIVE REPAIRS AND RESURFACING, VALLEY VILLAS DRIVE, YORK ROAD AND STATE ROAD SANITARY SEWERS, VARIOUS HEADWALL REPAIRS AND REPLACEMENT, AND LOCAL DEBT SUPPORT WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Napoli to adopt Resolution No. 155-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.

No: None; Resolution No. 155-19.

BY: D. LIME  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH GANLEY CHEVROLET OF AURORA LLC, TO LEASE/PURCHASE SIX (6) 2020 CHEVROLET TAHOES FOR THE PARMA POLICE DEPARTMENT, UNDER THE STATE OF OHIO BID PRICING, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilwoman Saban to adopt Ordinance No. 157-19.

Yes: Jech, Kish, Lime, Napoli, Saban, Brochetti, Dipierro.

No: None; Ordinance No. 157-19 is adopted.

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**PUBLIC SESSION**

No one wished to speak.

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**MISCELLANEOUS BUSINESS**

No comment from Administration.

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Motion made by Councilman Jech seconded by Councilman Napoli to forego Round Robin. Motion carried.

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**REPORT ON ABSENT OFFICIALS**

Motion made by Councilman Napoli seconded by Councilman Jech to excuse Councilmen Divis and Casselberry from said meeting. Motion carried.

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**ADJOURNMENT**

Motion made by Councilman Napoli seconded by Councilman Jech to adjourn said Regular Council Meeting at 10:27 p.m.

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**CERTIFICATION**

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be true and correct copy of the Minutes of the Regular Council Meeting held on Monday, August 5, 2019.

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

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