

**MARCH 16, 2015
REGULAR COUNCIL MEETING MINUTES
PARMA CITY HALL COUNCIL CHAMBERS
7:03 P.M.**

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

COUNCIL MEMBERS PRESENT:

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

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, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Resources Thomas Weinreich, Community Development Director Erik Tollerup, Chief of Staff Michael Culp, Economic Development Officer/Grant Writer Shelley Cullins, Interim Public Housing Director Priscilla Pointer-Hicks, and Clerk of Council Kenneth A. Ramser.

INVOCATION

The Invocation was given by Pastor Rick Sweney from Bethany Lutheran Church

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Parma Girl Scout Service Unit 723

VOICE VOTE:

RESOLUTION NO. 42-15 3/16/15 L-42-15
BY: B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY, V. DIPIERRO,
A. DIVIS, D. LIME, L. NAPOLI, S. M. TUMA

A RESOLUTION HONORING JUDGE KENNETH A. ROCCO
ON HIS RETIREMENT

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 42-15. Motion carried.
Councilman Brochetti – Presented the Resolution as well as a certificate from Treasurer Mastroianni to Judge Rocco.
Mayor DeGeeter – Presented a Proclamation to Judge Rocco.
Law Director Dobeck – Presented a plaque to Judge Rocco.
Judge Rocco – Thanked everyone.

RESOLUTION NO. 70-15 3/16/15 L-70-15

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

A RESOLUTION HONORING NICHOLAS KUNDRAT CITIZEN
OF THE MONTH – MARCH, 2015

Motion made by Councilman Tuma seconded by Councilman Day to adopt
Resolution No. 70-15. Motion carried.

Councilman Day presented the Resolution as well as certificates from Law
Director Dobeck and Treasurer Mastroianni to Nicholas Kundrat.

Mayor DeGeeter – Presented Proclamation to Nicholas Kundrat.

Mr. Kundrat – Thanked everyone.

RESOLUTION NO. 71-15 3/16/15 L-71-15

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

A RESOLUTION HONORING GUSTAVE JULIAN JEWELERS
BUSINESS OF THE MONTH – MARCH 2015

Motion made by Councilman Tuma seconded by Councilman Day to adopt
Resolution No. 71-15. Motion carried.

Councilman Divis – Presented the Resolution as well as certificates from Law
Director Dobeck and Treasurer Mastroianni to Gustave Julian Jewelers.

Mayor DeGeeter – Presented Proclamation to Gustave Julian Jewelers.

Gustave Julian Jewelers – Thanked everyone.

RESOLUTION NO. 75-15 3/16/15 L-75-15

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

A RESOLUTION HONORING AND CONGRATULATING PARMA
JAYCEES ON THEIR SUCCESS OVER THE YEARS

Motion made by Councilman Tuma seconded by Councilman Day to adopt
Resolution No. 75-15. Motion carried.

Councilwoman Lime – Presented Resolution as well as certificates from Law
Director Dobeck and Treasurer Mastroianni to the Jaycees.

Mayor DeGeeter – Presented Proclamation to Jaycees.

Jen from Jaycees – Thanked everyone.

RESOLUTION NO. 76-15 3/16/15 L-76-15

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

A RESOLUTION HONORING GIRL SCOUT SERVICE UNIT 723
ON ATTAINING THEIR 2014 ACHIEVEMENTS

Motion made by Councilman Tuma seconded by Councilman Day to adopt Resolution No. 76-15. Motion carried.

Councilwoman Lime – Presented Resolution as well as certificates from Law Director Dobeck and Treasurer Mastroianni to the Girl Scouts.

Mayor DeGeeter – Presented a Proclamation to the Girl Scouts.

Girl Scouts – Thanked everyone.

Council recessed at 7:45 P.M. and reconvened at 7:58 P.M.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated you have before you the Minutes from the Regular Council meeting held on March 2, 2015. Asked if there were any additions or corrections to these Minutes? Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Councilman Divis – Stated that the Planning Committee of Council met on March 9, 2015, to discuss the Notice of Proposal to Vary for the Applicant David Bradt, Richard L. Bowen & Associates, 13000 Shaker Blvd., Cleveland, OH 44120. PPN 449-25-001. The request is for an "Area" variance of Section 1170.06 – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF LOT AREA, WIDTH AND COVERAGE REGULATIONS. The proposal is to create two (2) out-lot parcels at 7899 W. Ridgewood (SW corner primary mall property along Day Drive., south of Walmart). Minimum lot size required by Shopping Center zoning district is 5 acres. The proposal is for 3.52 acre lot and 0.24 acre lot. This variance would result in 1.48 acre and 4.76 less acre lot for 2 outparcel lots in Shopping Center District.

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

Councilman Divis – Stated that the Planning Committee of Council met on March 9, 2015, to discuss the Notice of Proposal to Vary for the applicant William Gallagher, for property at 5301 Hauserman Rd. PPN is 442-01-003. The request is for a "Use" variance 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 property in Single-Family House District for landscaping business to include business office with storage of landscaping tools and machines, truck parking and vehicle maintenance and repair with remainder of office space to be available for lease at 5301 Hauserman Rd. This variance would result in allowing landscaping business and business offices in Single-Family House District. There is a stipulation that the Applicant meet with the abutting property owners and to make sure that the buffer is put up according to what they (neighbors) want.

Motion made by Councilman Divis seconded by Councilman Day to grant the Variance, with the Stipulation, as recommended by the Board of Zoning Appeals and the Planning Committee of Council. Motion carried.

Notice to Legislation Authority received from the Ohio Division of Liquor Control for Stock Transfer of a D1, D2, D3 Permit to Bereza Inc., dba Nicky's Café, 5994 State Road, 1st Floor and Basement, Parma, Ohio 44134.

Mailed on March 6, 2015. Responses must be postmarked no later than April 6, 2015.

Mr. Brennan – Said Liquor Permit was referred to the Safety Director and Ward Councilman.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

FIRST READING:

RESOLUTION NO. 73-15 3/16/15 L-73-15

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 AN EMERGENCY

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

ORDINANCE NO. 74-15 3/16/15 L-74-15

BY: J. CROSSMAN

(By Request – Community Services Economic Development Director)

AN ORDINANCE TO CONVEY CITY-OWNED LAND LOCATED ON RAVINE BOULEVARD IN THE CITY OF PARMA, CONSISTING OF PERMANENT PARCEL NUMBER 446-09-072, TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 58-15 3/2/15 L-58-15

BY: S. M. TUMA

(By Request – City Engineer)

AN ORDINANCE ACCEPTING GRANT OF PERMANENT AND/OR TEMPORARY EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF SANITARY SEWERS AND APPURTENANCES LOCATED ALONG RIDGE ROAD BETWEEN DAY DRIVE AND REGENCY DRIVE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Napoli seconded by Councilman Day to refer Ordinance No. 58-15 back to the Environmental Standards Committee. Motion carried.

ORDINANCE NO. 62-15 3/2/15 L-62-15

BY: B. DAY
(By Request – Mayor)

AN ORDINANCE TO REPEAL SECTION 313.035 "USE OF AUTOMATED CAMERAS TO IMPOSE CIVIL PENALTIES UPON SPEEDING VIOLATORS IN ANY SCHOOL ZONE" AND ENACT A NEW SECTION 313.035 AND TO REPEAL SECTION 313.13 "TRAFFIC LAW PHOTO-MONITORING DEVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Day seconded by Councilwoman Lime to refer Ordinance No. 62-15 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 63-15 3/2/15 L-63-15

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

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 63-15 back to the Finance Committee. Motion carried.

ORDINANCE NO. 64-15 3/2/15 L-64-15

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

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

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 64-15 back to the Finance Committee. Motion carried.

ORDINANCE NO. 65-15 3/2/15 L-65-15

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 LIMESTONE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 65-15 back to the Finance Committee. Motion carried.

ORDINANCE NO. 66-15 3/2/15 L-66-15

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 2015 PAVEMENT MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance NO. 66-15 back to the Finance Committee. Motion carried.

ORDINANCE NO. 67-15 3/2/15 L-67-15

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

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 67-15 back to the Finance Committee. Motion carried.

ORDINANCE NO. 68-15 3/2/15 L-68-15

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 ASPHALT CONCRETE, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to refer Ordinance No. 68-15 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 52-15 on three different days be dispensed with?

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

No: None; motion carried.

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

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH CLEVELAND COMMUNICATIONS, SOLE SOURCE PROVIDER, FOR THE PURCHASE OF THE MICROWAVE AND RADIO EQUIPMENT FOR THE NEW COMMUNICATIONS CENTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to amend Ordinance No. 52-15 by accepting Exhibit "A" and filling the blanks in Section 3 to read: Fund Number 423-423 – Communications Center – Ridge Road, Account Number 68006-05215 – Equipment and Facilities. Motion carried.

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 52-15 as amended.

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

No: Lime; Ordinance No. 52-15 is adopted as amended.

THIRD READING:

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

AN ORDINANCE ACCEPTING A GRANT OF EASEMENT BY THE WEST CREEK PRESERVATION COMMITTEE FOR THE INSTALLATION AND MAINTENANCE OF SANITARY SEWERS AND APPURTENANCES IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 41-15.

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

No: None; Ordinance No. 41-15 is adopted.

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

AN ORDINANCE ACCEPTING THE TRANSFER OF VACANT LAND LOCATED AT 6215 RIDGEWOOD AVENUE FROM THE CUYAHOGA COUNTY LAND BANK, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 43-15.

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

No: None; Ordinance No. 43-15 is adopted.

ORDINANCE NO. 46-15 2/17/15 L-46-15

BY: B. DAY

AN ORDINANCE TO AMEND THE GENERAL OFFENSES CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 46-15.

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

No: None; Ordinance No. 46-15 is adopted.

ORDINANCE NO. 47-15 2/17/15 L-47-15

BY: B. DAY

AN ORDINANCE TO AMEND THE TRAFFIC CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 47-15.

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

No: None; Ordinance No. 47-15 is adopted.

ORDINANCE NO. 48-15 2/17/15 L-48-15

BY: B. BROCHETTI

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT AND ENACT NEW MATTER IN THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND TO DECLARE AN EMERGENCY

Motion made by Councilman Tuma seconded by Councilman Day to adopt Ordinance No. 48-15.

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

No: None; Ordinance No. 48-15 is adopted

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 69-15 and Ordinance No. 72-15 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 69-15 and Ordinance No. 72-15 be placed on final passage?

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

No: None; motion carried.

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 Tuma to adopt
Resolution No. 69-15.

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

No: None; Resolution No. 69-15 is adopted.

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE
TO FILE A PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT
OF TRANSPORTATION FOR THE PURCHASE OF SODIUM CHLORIDE
(ROCK SALT), AND DECLARING AN EMERGENCY

Service Director Higgins – Stated that ODOT forwarded an e-mail to subdivisions
advising that they must have an Ordinance passed by Council and the salt order into
them for a summer bid contract by Friday, April 3rd.

Motion made by Councilman Tuma seconded by Councilman Day to adopt
Ordinance No. 72-15.

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

No: None; Ordinance No. 72-15 is adopted.

PUBLIC SESSION

Several Residents of Jeannie voiced their concerns regarding a Group Home
located at 3081 Jeannie Drive. Some of the concerns included the care takers parking
over night during winter months, parking too close and blocking driveways, noise issues
while changing shifts, problems with garbage being picked up, the installation of a
fence, etc.

Wayne Mesker, Westminster Drive – Commented regarding an event called Rock
Against Dementia that will be held on March 21st at the Local Tavern.

Dorothy Hazel, West Ridgewood Drive – Thanked everyone who attended the
Blues for Greens Fundraiser. Also, announced a fundraiser scheduled for April 21st at
6:30 P.M at the West Creek Stewardship Center.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Stated that the Safety Director will comment and meet with
the residents on Jeannie after the Council Meeting.

Stated that he will be requesting a special Council Meeting on Monday, March 23,
2015, to pass a balanced budget.

Safety Director Baeppler – Stated that he had a meeting with several representatives from the Group Home. They are working on resolving the issues.

Service Director Higgins – No comment.

Law Director Dobeck – No comment.

Treasurer Mastroianni – No comment.

Councilman Casselberry – Congratulated all the Resolution Recipients. Stated he participated in the St. Baldrick’s Fund Raiser at St. Charles Parish. Over \$21,000 was raised for children’s cancer research. Stated he was also asked to be involved in the Northeast Ohio Amber Alert Committee. Happy St. Patrick’s Day.

Councilman Crossman – Congratulated all the Resolution Recipients. Stated that Ward 9 and Ward 1 have scheduled a Joint Ward Meeting on Tuesday, March 24th, at 7 P.M. at the Donna Smallwood Activities Center. Commended Councilman Casselberry. Also, they will be doing a legal aid event, for low income seniors, at the Senior Center on April 11th.

Councilman Day – Congratulated all the Resolution Recipients. Happy St. Patrick’s Day.

Councilman Dipierro – Congratulated all the Resolution Recipients.

Councilman Divis – Congratulated all the Resolution Recipients. Happy St. Patrick’s Day.

Councilwoman Lime – Congratulated all the Resolution Recipients. Updated everyone on the Box and the Socks Project. They have collected over 2,800 pairs of socks. Happy St. Patrick’s Day.

Councilman Napoli – Commented on the Blues for Greens Event. Great event for a great cause. Commented on the Jeannie Drive Group Home issue. Stated that they will do what they can to resolve the issues. Happy St. Patrick’s Day.

Councilman Tuma – Congratulated all the Resolution Recipients.

Councilman Brochetti – Congratulated all the Resolution Recipients. Commented on the High School State Wrestling Championships. Happy St. Patrick’s Day.

Mr. Brennan – Congratulated all the Resolution Recipients. Recognized Joe Benny from Congressman Jim Renacci’s Office. Commented on the incident at Chuck E Cheese. Commended the Parma Police Department. Commended Councilman Casselberry. Happy St. Patrick’s Day.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Day seconded by Councilwoman Lime to excuse Auditor Dennis Kish from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Day seconded by Councilman Casselberry to adjourn said meeting at 9:06 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 Regular Council Meeting held on Monday, March 16, 2015.

KENNETH A. RAMSER
CLERK OF COUNCIL

SEAN P. BRENNAN
PRESIDENT OF COUNCIL

(MINUTES COMPLETED ON MARCH 18, 2015)
LK