

**DECEMBER 22, 2015
REGULAR COUNCIL MEETING MINUTES
PARMA CITY HALL COUNCIL CHAMBERS
7:05 PM**

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

COUNCIL MEMBERS PRESENT:

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

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 M. Kish, Treasurer Thomas 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, Economic Development Officer/Grant Writer Shelley Cullins, Chief of Staff Michael Culp, and Clerk of Council Kenneth A. Ramser.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Fire Chief Lasky Addressed City Council - Talked about a Grant to provide for 8 additional firemen to bring the staffing up to par. This grant would include all the additional benefits and cost the City nothing additional.

AWARDS

Citizen Police Academy Graduation Recognition

Members of the Police Academy received honors from the Police Department, City Council, Mayor, Treasurer, and Law Director. Photos were taken.

VOICE VOTE

RESOLUTION NO. 260-15

12/22/15

L-260-15

By: S.M. Tuma, L. Napoli, B. Brochetti, M. Casselberry, J. Crossman, B. Day, V. Dipierro, A. Divis, D. Lime

A RESOLUTION HONORING AUDITOR DENNIS M. KISH ON HIS RETIREMENT
FROM THE CITY OF PARMA

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 260-15. Motion carried. Auditor Kish came forward to receive the Resolution, Mayor's Proclamation, Treasurer's Certificate, Law Director's Certificate, and Proclamation from State Rep. Nick Celebrezze. Photos were taken.

DISPOSAL OF THE JOURNAL

Mr. Brennan - Stated that we have the Minutes of November 30, 2015 Special Meeting and the Minutes of December 7, 2015 Regular Meeting. Asked if there were any additions or corrections to these Minutes. Hearing none, he stated that the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Clerk Ramser read the Proposal to Vary for property located at 12980 Sprague Road.

The Parma Board of Zoning Appeals met on Tuesday, December 8, 2015, in the Council Chambers to discuss the following:

(a) Wendy Harbaugh of David Ports Architects, 3554 Brecksville Rd., Suite 100, Richfield, OH 44286 has requested an "Use" variance of the City of Parma Codified Ordinances of Section 1170.03 – PLANNING & ZONING CODE – SCHEDULE OF PERMITTED BUILDINGS & USES and Section 1153.02 – SINGLE FAMILY HOUSE DISTRICTS – PRINCIPALS USES & BUILDINGS. The Applicant is proposing business use not permitted in Retail Business District with less front setback than permitted at 12980 Sprague Rd (DQ Grill & Chill). Buildings & land shall be used, and buildings shall be designed, erected, altered, moved or maintained in whole or in part only for uses set forth in schedules and regulations.

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. Proposing construction of miniature golf course which is permitted only in Commercial Manufacturing "B" district. This variance would result in allowing for business use prohibited in Retail Business District and Single-Family House District. The PPN is 457-15-002, 023 and 025.

(b) Wendy Harbaugh of David Ports Architects, 3554 Brecksville Rd., Suite 100, Richfield, Oh 44286 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1170.08(f) – PLANNING & ZONING CODE – COMMERCIAL OFFICE DISTRICTS – SCHEDULE OF YARD & HEIGHT REGULATIONS. Minimum required front setback from street right-of-way in Retail Business District is 30'. Where side yards in this district adjoin a road, the side yard shall not be less than setbacks established for buildings on that road, and any truck loading spaces on such a side yard shall be of such size that trucks normally using the loading space will be inside the sidewalk line. The proposal is for front setback of 15' from street right-of-way. This variance would result in allowing 15' less for front setback from right-of-way for retail business use. The PPN is 457-15-002, 023 & 025.

Mrs. Kraft made a motion to recommend to Council to grant the variances as written. With these variances being granted the character of the neighborhood would not be substantially altered and the spirit and intent of the Zoning Board would be observed. Mr. Mastrobuono seconded the motion. Mr. Ziefle, Mrs. Kraft, Mr. Mastrobuono and Mr. O'Connor voted yes to grant the variances.

Mr. Brennan - Stated these Proposals to Vary shall be referred to the Planning Committee.

AMENDMENT TO THE CALENDAR

Motion made by Councilman Tuma, seconded by Councilman Day to amend the Calendar by deleting Resolution No. 250-15 from Suspension of the Rules. Motion carried.

LEGISLATIVE COMMENT

Mr. Brennan asked if there were any people who would like to speak on the legislation scheduled to be passed this evening. No one wished to speak.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

FIRST READING:

ORDINANCE NO. 251-15 12/22/15 L-251-15

By: S. M. Tuma
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A TEN (10) YEAR LEASE AGREEMENT EXTENSION WITH COLUMBIA GAS OF OHIO, INC., FOR THE USE OF CITY-OWNED LAND FOR A REGULATOR STATION AT STATE ROAD AND RIDGEWOOD DRIVE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan - Stated this Ordinance shall be referred to the Public Service Committee.

ORDINANCE NO. 252-15 12/22/15 L-252-15

By: D. Lime
(By Request - Community Services Economic Development Director)

AN ORDINANCE TO CONVEY CITY-OWNED LAND LOCATED AT 3425 BROOKVIEW BOULEVARD AND 6700 BRADLEY AVENUE, TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY

Mr. Brennan - Stated this Ordinance shall be referred to the Planning Committee.

ORDINANCE NO. 257-15 12/22/15 L-257-15

By: S. M. Tuma
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH CLEVELAND COMMUNICATIONS, INC., FOR THE LEASE/RENT OF SPACE FROM THE CITY OF PARMA WITHIN THE VIDA CORE TO PROVIDE CONNECTIVITY WITH ISSI AND BEON SERVERS, AND DECLARING AN EMERGENCY

Mr. Brennan - Stated this Ordinance shall be referred to the Public Safety Committee.

ORDINANCE NO. 258-15 12/22/15 L-258-15

By: S. M. Tuma
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR THE PURCHASE OF FIFTEEN (15) PATROL CARS AND TWO (2) DETECTIVE CARS FOR THE PARMA POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

Mr. Brennan - Stated this Ordinance shall be referred to the Finance Committee.

SECOND READING SUSPENSION:

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

By: S. M. Tuma, L. Napoli, B. Brochetti, M. Casselberry, J. Crossman, B. Day, V. Dipierro, A. Divis, D. Lime
(By Request - Mayor)

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 - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 242-15 on three different days be dispensed with?

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

No: None; motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day to amend Ordinance No. 242-15 by attaching Exhibit A. Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day to adopt amended Ordinance No. 242-15.

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

No: None; Amended Ordinance No. 242-15 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 249-15, Ordinance No. 253-15, Resolution No. 254-15, Resolution No. 255-15, Resolution No. 256-15, and Ordinance No. 259-15 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 249-15, Ordinance No. 253-15, Resolution No. 254-15, Resolution No. 255-15, Resolution No. 256-15, and Ordinance No. 259-15 be placed on final passage?

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

No: None; motion carried.

RESOLUTION NO. 249-15 12/22/15 L-249-15

By: A. Divis, L. Napoli, S.M. Tuma, B. Brochetti, M. Casselberry, J. Crossman, B. Day, V. Dipierro, D. Lime
(By Request - Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 454-19-027, 5820 WOODBURY HILLS, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 249-15.

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

No: None; Resolution No. 249-15 is adopted.

ORDINANCE NO. 253-15 12/22/15 L-253-15

By: S. M. Tuma
(By Request - Auditor)

AN ORDINANCE TO AMEND THE 2015 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

*Lime - Asked if this is the final for 2015. *Kish - This is it.
Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 253-15.
Yes: Napoli, Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime.
No: None; Ordinance No. 253-15 is adopted.

RESOLUTION NO. 254-15 12/22/15 L-254-15

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

*Lime asked about the date on the first item. *Kish responded that the date is in error.
Motion made by Councilman Tuma, seconded by Councilman Day to correct the date. Motion carried.
Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 254-15 as amended.
Yes: Napoli, Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime.
No: None; Resolution No. 254-15 is adopted as amended.

RESOLUTION NO. 255-15 12/22/15 L-255-15

By: S. M. Tuma
(By Request - Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S CASH ADVANCES, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 255-15.
Yes: Napoli, Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime.
No: None; Resolution No. 255-15 is adopted.

RESOLUTION NO. 256-15 12/22/15 L-256-15

By: S. M. Tuma
(By Request - Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S CASH TRANSFERS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution No. 256-15.
Yes: Napoli, Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime.
No: None; Resolution No. 256-15 is adopted.

ORDINANCE NO. 259-15 12/22/15 L-259-15

By: S. M. Tuma, L. Napoli, B. Brochetti, M. Casselberry, J. Crossman, B. Day, V. Dipierro, A. Divis, D. Lime
(By Request - Mayor)

AN ORDINANCE TO ACCEPT THE MONETARY DONATION FROM AN ANONYMOUS DONOR FOR A WATER SPLASH PAD TO BE BUILT AND LOCATED IN ANTHONY ZIELINSKI PARK IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

*Mayor stated that this has to be done before the end of the year according to the donor.
*Brennan stated that this is a wonderful donation to the City.
*Tuma stated that this will be enjoyed by youngsters and is glad to have this replace the pool which is in horrible shape.

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 259-15.
Yes: Napoli, Tuma, Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime.
No: None; Ordinance No. 259-15 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Motion made by Councilman Casselberry, seconded by Councilman Day to approve the reappointment of Mary Ellen Neff to the Municipal Income Tax Board of Review. Her new appointment will be for a three year term ending on December 3, 2018. Motion carried.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter - Happy Holidays.

Safety Director - Happy Holidays.

Service Director - Happy Holidays.

Asst. Law Director - Happy Holidays.

Auditor - Happy Holidays.

Treasurer - Happy Holidays.

Councilman Napoli - Merry Christmas. Congratulated Dennis on his retirement and Brian Day on his new position.

Councilman Tuma - Merry Christmas. Congratulated Dennis on his retirement.

Councilman Casselberry - Notified all that his father-in-law is fighting cancer. Looked at the Christmas lighting and thanked Jeanne for her help.

Councilman Crossman - Congratulated Dennis and new Auditor Day. Looking forward to working with Kristin Saban. Merry Christmas.

Councilman Day - Congratulated Dennis on his retirement. Commented on the smooth and professional transition with Dennis. Stated that Ward 4 is looking forward to Kristin.

Councilman Depierro - Congratulated Dennis. Wished everyone a Merry Christmas. Welcomed Kristin.

Councilman Divis - Congratulated Dennis. Congratulated Brian. Wished everyone a Merry Christmas.

Councilwoman Lime - Congratulated everyone for their help on the Public Housing Christmas party success. Stated that she loved being part of the Police Academy and explained her experiences. Is looking forward to the Splash Pad. Thanked Dennis for his service. Wished good luck to Brian. Wished everyone a Merry Christmas.

President Brennan - Is looking forward to Kristin as Ward 4 Council. Congratulated Dennis and is looking forward to working with Brian.
