

**MINUTES  
PARMA CITY COUNCIL MEETING  
PARMA COUNCIL CHAMBERS  
DECEMBER 2, 2019  
7:03 P.M.**

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

COUNCIL MEMBERS PRESENT:

VITO DIPIERRO
ALLAN DIVIS
ROY J. JECH
DENNIS M. KISH
DEBORAH LIME
LARRY NAPOLI
KRISTIN L. SABAN
BRIAN BROCHETTI
MARK CASSELBERRY

Mr. Ramser – Mr. Chairman, 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 Tim Miller, Auditor Brian Day, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Thomas Weinreich, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Carolyn Kovach, Recreation Director Mickey Vittardi, Chief of Staff Michael Culp, and Clerk of Council Kenneth A. Ramser.

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**INVOCATION**

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

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**PLEDGE OF ALLEGIANCE**

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**VOICE VOTE:**

**RESOLUTION NO. 234-19**                      12/2/19                      L-234-19

**By: A. DIVIS, L. NAPOLI, M. CASSELBERRY, B. BROCHETTI, R.J. JECH,  
V. DIPIERRO, D.M. KISH, D. LIME, K.L. SABAN**

A RESOLUTION HONORING RENEE SCHAPPEL AND ALYSSA BOWER  
CITIZENS OF THE MONTH – DECEMBER, 2019

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 234-19. Motion carried.

Honorees came forward, accepted the Resolution, Certificates and Mayor's Proclamation. Stated that they are very humbled by the honor.

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By: **A. DIVIS**, M. CASSELBERRY, B. BROCHETTI, R.J. JECH, L. NAPOLI,  
V. DIPIERRO, D.M. KISH, D. LIME, K.L. SABAN

**A RESOLUTION HONORING PETSMART  
BUSINESS OF THE MONTH – DECEMBER, 2019**

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 235-19. Motion carried.

PetSmart employees came forward to accept the Resolution, Certificates, and Mayor’s Proclamation. They stated that they are Number 1 of all of the PetSmart’s in the US for their giving. They are honored by this recognition.

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**LEGISLATIVE COMMENTS**

No one wished to speak on items up for passage tonight.

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**DISPOSAL OF THE JOURNAL**

Mr. Brennan – Stated, you have before you the Minutes of the Regular Council Meeting of November 18, 2019. Asked if there were any additions or corrections to the Minutes? Stated, hearing none, the Minutes will stand approved as printed.

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**COMMUNICATIONS, PETITIONS AND CLAIMS**

Councilman Divis: The Planning Committee met this evening, and PROPOSED TO “VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the Receipt of this notice) FOR THE Applicant Daniel Sprouse, **5247 State Rd.**

After discussion Mr. Mastrobuono made the following recommendation:

“I make a motion to recommend to Council to grant to Daniel Sprouse of Sprouse Enterprises, LLC, 5247 State Road, 44134 has requested an “USE” variance of the City of Parma Codified Ordinances of Section 1170.03 – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to allow selling of remanufactured appliances in Retail Business District located at the existing building at 5247 State Road. The sale of used products is not included in permitted buildings and uses in the Retail Business District. Permitted only in Commercial Manufacturing A and B Districts. This variance would result in allowing the sales of used appliances in Retail Business District. The PPN is 444-04-114. The essential character of the neighborhood would not be substantially altered and the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance. It is recommended by the Engineering Dept. that if the “use” variance is granted it include the following stipulations:

- a. Sales be limited to new and remanufactured appliances, and appliance parts only.
- b. No wall or window signage be permitted beyond what Code allows.
- c. No promotional signage be permitted including but not limited to temporary signage, pendants, streamers and/or moving signage.
- d. Sidewalk or tent sales only be permitted twice a year.
- e. No broken or scrap appliances outside unless completely contained inside a closed dumpster enclosure. (A dumpster enclosure does not appear to exist currently. If one is to be constructed it would be subject to review and approval for the City Planning Commission.)”

Mr. Yurkiw second the motion. Mr. Ziefle, Mrs. Green, Mr. Yurkiw, Mr. Mastrobuono and Mr. O’Connor voted yes.

Motion made by Councilman Divis, seconded by Councilman Casselberry to grant this variance. Motion carried.

Councilman Divis: The Planning Committee met this evening, and PROPOSED TO "VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE Applicant Anthony Siciliano, 7444 Midland Road, Independence, OH 44131 for property located at **1285 Rockside Road**.

After discussion Mrs. Green made the following recommendation:

"I make a motion to recommend to Council to grant to Anthony Siciliano, 7444 Midland Road, Independence, OH 44131 has requested an "Use" variance of the City of Parma Codified Ordinances of Section 1170.03 – COMMERCIAL/OFFICE DISTRICT – SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to open a food/beverage, nutrition/wellness café at 1285 Rockside Road. Serving of food and beverages on site not a permitted use in Office Building Districts. This variance would result in allowing to open food/beverage, nutrition/wellness café in Office Building District. PPN is 445-17-306.

We see that the essential character of the neighborhood would not be substantially altered and the adjoining properties would not suffer any detriment as a result of this variance. The Engineering Department does not object to this variance request."

Mr. Yurkiw second the motion. Mr. Ziefle, Mrs. Green, Mr. Mastrobuono, Mr. Yurkiw and Mr. O'Connor voted yes.

Motion made by Councilman Divis, seconded by Councilman Casselberry to grant this variance. Motion carried.

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Councilman Divis: The Planning Committee met this evening and PROPOSED TO "VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of receipt of this notice for the Brian J. Intihar, **7794 Theota Ave**.

After discussion Mrs. Green made the following recommendation:

"I make a motion to recommend to Council to grant to Brian J. Intihar, 7794 Theota Ave, 44129 has requested an "Area" variance of the City of Parma Codified Ordinance of Section 1153.03(b)(2) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS – REGULATIONS – PARKING AREAS. The proposal is to add more parking area than allowed by Code at 7794 Theota Ave. The amount of hard surface area for a driveway in residential front setback shall not exceed 32% of front setback area and width shall not exceed 16' wide on lot with 54' of effective frontage. Existing is 22'. Proposing to add additional 8' for overall total of 30' in driveway width. This variance would result in allowing 14 additional feet of driveway width. The PPN is 442-18-047. 047. This variance would result in allowing an additional 14' of driveway width and would not affect the essential character of the neighborhood or substantially alter the adjoining properties. The Engineering Department has no objection to granting this variance request because the property does have a valid hardship. The driveway fronts on the side street not the main street the house fronts on. Therefore, the driveway has physically less depth allowing less parking area than other driveways in the neighborhood."

Mr. Yurkiw second the motion. Mrs. Green, Mr. Ziefle, Mr. Mastrobuono, Mr. Yurkiw and Mr. O'Connor voted yes.

Motion made by Councilman Divis, seconded by Councilman Casselberry to grant this variance. Motion carried.

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Councilman Divis: The Planning Committee met this evening and PROPOSED TO "VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of receipt of this notice for the Brendan & Jennifer Brunk, **9123 Running Brook**, 44130.

After discussion Mr. Ziefle made the following recommendation:

"I make a motion to recommend to Council to grant to Brendan & Jennifer Brunk, 9123 Running Brook, 44130 have requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(d)(2)-SINGLE FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDING- PARKING OF RECREATIONAL VEHICLE REGULATIONS. The proposal is to park 23' boat that sits on a 27' trailer on pad in side yard at 9123 Running Brook. 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 3' additional overall length of trailer used to store a 23' boat on his property. PPN is 456-24-041. By granting this variance the characteristics of the neighborhood would not be substantially altered, by granting this variance the spirit and intent of the zoning and building requirements would be observed. The Engineering Comments do not oppose to granting the variance since the recreational vehicle itself is 23', a length permitted by code, it is just the trailer that causing the inability to conform to code. The applicant would have to obtain a permit for the concrete pad that they indicated the trailer will sit on. The parcel is large enough that a concrete pad could be installed in the side yard the required 3' off the side property line."

Mr. Yurkiw second the motion. Mr. Ziefle, Mrs. Green, Mr. Yurkiw, Mr. Mastrobuono and Mr. O'Connor voted yes.

Motion made by Councilman Divis, seconded by Councilman Casselberry to grant this variance. Motion carried.

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Notice to the Legislative Authority from the Ohio Division of Liquor Control of a Transfer of a D5 and D6 Liquor Permit from Old School Enterprises, Inc. dba London Aire Tavern, 2903 Brookpark Rd. 1<sup>st</sup> Floor, Parma, Ohio, 44134 to Anars Enterprise LLC at same address.

Mr. Brennan: Said liquor permit shall be referred to the Safety Director and Ward Council.

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Mr. Brennan – Stated that he has a letter from the City of Brooklyn concerning the opting out of the plastic bag ban proposed by the Cuyahoga County Council. Everyone will receive a copy of this letter with its attachments in an email tomorrow.

## INTRODUCTION OF ORDINANCES AND RESOLUTION

### FIRST READING:

	<b>RESOLUTION NO. 231-19</b>	12/2/19	L-231-19
BY:	D. LIME (By Request – Building Commissioner)		

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 443-14-038, 5619 WESTLAKE AVENUE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Mr. Brennan - Resolution No. 231-19 is referred to the Public Safety Committee.

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	<b>ORDINANCE NO. 233-19</b>	12/2/19	L-233-19
BY:	B. BROCHETTI (By Request – City Engineer)		

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH DLZ OHIO, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES INCLUDING A CITY-WIDE STORMWATER MANAGEMENT PROGRAM, STORM/SANITARY REPAIR AND REHABILITATION/REPLACEMENT PROGRAM, AS WELL AS ROADWAY AND STATE/FEDERAL INFRASTRUCTURE FUNDING ASSISTANCE, ON AN AS NEEDED BASIS, AND DECLARING AN EMERGENCY

Mr. Brennan – Ordinance No. 233-19 is referred to the Finance Committee.



**ORDINANCE NO. 219-19**

11/4/19

L-219-19

BY: B. BROCHETTI  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A RENEWAL CONTRACT WITH THE LAW FIRM OF ZASHIN & RICH CO., L.P.A. FOR LEGAL SERVICES FOR LABOR NEGOTIATIONS WITH VARIOUS BARGAINING UNITS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 219-19.

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

No: Motion carried. Ordinance No. 219-19 is adopted.

**RESOLUTION NO. 223-19**

11/4/19

L-223-19

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

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 443-02-114, 7606 WOOSTER PARKWAY, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 223-19.

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

No: Motion carried. Resolution No. 223-19 is adopted.

**SUSPENSION OF THE RULES:**

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 225-19 and Resolution No. 237-19 on three different days be dispensed with?

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

No: None; Motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 225-19 and Resolution No. 237-19 be placed on final passage?

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

No: None; Motion carried.

**ORDINANCE NO. 225-19**

12/2/19

L-225-19

BY: K. L. SABAN, R.J. JECH, D. LIME, L. NAPOLI, B. BROCHETTI, M. CASSELBERRY,  
(By Request – Economic Development Officer/Grant Writer)

AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH A SPECIAL REVENUE FUND TITLED "QUARRY DISTRICT FUND", AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 225-19.

Ward 4 Councilwoman Saban asked everyone to support this.

Auditor Day – Stated that this money is to help “re-brand” Midtown Plaza to “Quarry District”.

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

No: None; Ordinance No. 225-19 is adopted.

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**RESOLUTION NO. 237-19**

12/2/19

L-237-19

BY: B. BROCHETTI  
(By Request – Auditor)

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

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 237-19.

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

No: None; Resolution No. 237-19 is adopted.

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**LEGISLATION TO BE TABLED:**

**ORDINANCE NO. 244-14**

1/20/15

L-244-14

BY:  
(By Request – Safety Director)

**AN ORDINANCE TO ENACT SECTION 642.055 “FLYING MODEL AIRCRAFT”  
OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND  
DECLARING AN EMERGENCY**

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to table Ordinance No. 244-14. Motion carried. Ordinance No. 244-14 is tabled.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to reconsider tabled Ordinance No. 244-14. Motion denied.

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**ORDINANCE NO. 222-18**

11/5/18

L-222-18

BY: D. LIME, K.L. SABAN  
(By Request – Safety Director)

**AN ORDINANCE TO ENACT SECTION 1703.31 “TRANSIENT/NON-TRANSIENT  
RENTER” IN CHAPTER 1703 “DEFINITIONS” AND SECTION 1705.13  
“TRANSIENT/NON-TRANSIENT RENTAL REGULATIONS IN CHAPTER 1705  
“ADMINISTRATION, ENFORCEMENT AND PENALTY” OF THE CODIFIED  
ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY**

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to table Ordinance No. 222-18. Motion carried. Ordinance No. 222-18 is tabled.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to reconsider tabled Ordinance No. 222-18. Motion denied.

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**PUBLIC SESSION**

No one wished to speak.

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**MISCELLANEOUS BUSINESS**

Mayor DeGeeter – No comment.

Safety Director – No comment.

Service Director – No comment.

Auditor Day – No comment.

Assistant Law Director – No comment.

Treasurer – No comment.

Councilman Dipierro – No comment.

Councilman Divis – Wished everyone a happy Thanksgiving.

Councilman Jech – Wished everyone a happy Thanksgiving.

Councilman Kish – Commented on his “No” vote on Ordinance No. 124-19. Thinks there should be a better way to handle raises for elected officials.

Councilwoman Lime – Wished everyone a happy Thanksgiving.

Councilman Napoli – Wished everyone a happy Thanksgiving. Wants everyone to participate in the Frosty Fest on December 8<sup>th</sup>.

Councilwoman Saban – Wished everyone a happy Thanksgiving. Reminded everyone about the lighting contest.

Councilman Brochetti – Wished everyone a happy Thanksgiving.

Councilman Casselberry – Wished everyone a happy Thanksgiving. He is waiting to enjoy seeing the City decorated with lights.

President Brennan – Wished everyone a happy Thanksgiving. Mentioned the Frosty Fest. Mentioned the Peanut Butter drive.

#### ADJOURNMENT

Motion made by Councilman Divis, seconded by Councilman Dipierro to adjourn said meeting at 7:54 PM. Motion carried.

#### CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be a true and correct copy of the Minutes of the Regular Council Meeting held on Monday, December 2, 2019.

*/s/ Kenneth A. Ramser*

KENNETH A. RAMSER  
CLERK OF COUNCIL

*/s/ Sean P. Brennan*

SEAN P. BRENNAN  
PRESIDENT OF COUNCIL

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