

OCTOBER 21, 2019
REGULAR COUNCIL MEETING MINUTES
PARMA CITY COUNCIL CHAMBERS
7:06PM

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

COUNCIL MEMBERS PRESENT: KRISTIN L. SABAN
BRIAN BROCHETTI
MARK CASSELBERRY
ALLAN DIVIS
VITO DIPIERRO
ROY J. JECH
DEBORAH LIME
LARRY NAPOLI

COUNCIL MEMBERS ABSENT: DENNIS M. KISH

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, Law Director Tim Dobeck, Auditor Brian Day, Service Representative Jack Sparks, Treasurer Tom Mastroianni, 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.

INVOCATION

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

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 209-19 10/21/19 L-209-19

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

A RESOLUTION HONORING CHI (IRENA) WONG ON HER MURAL IN
PARMA'S RIES ICE RINK

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 209-19. Motion carried.

Irena Wong was presented with the certificates, resolution, and Mayor's proclamation.

RESOLUTION NO. 212-19 10/21/19 L-212-19

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 FR. DALE W. STAYSNIAK
CITIZEN OF THE MONTH – OCTOBER, 2019

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 212-19. Motion carried.

LEGISLATIVE COMMENTS

There were no comments from the Public.

DISPOSAL OF THE JOURNAL

Mr. Brennan – Stated that we have before us the Minutes of the Regular Council Meeting of October 7, 2019. Asked if there were any additions or corrections to said minutes. Hearing none, he stated that the Minutes will stand as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Notice to Legislative Authority from the Ohio Division of Liquor Control for a new D1, D3 Liquor Permit Application for Mamacitas, Inc., 6164 Broadview Road.

Mr. Brennan - Said Liquor Permit will be referred to the Ward Council and Safety Director.

Planning Committee Chairman Divis: The Planning Committee of Council met this evening to discuss the Variance for the Applicants David Carroll and Tabitha Fisher, FisCar.LLC, DBA The Axehouse (Flof.of, LLC) for property located at 7383 State Road. PPN is 452-37-009.

They have requested an "USE" variance of the City of Parma Codified Ordinances of Section 1170.03(F)(3) – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is for amusement/entertainment business in Retail Business District for property at 7383 State Road. Amusement/Entertainment business not indicated as permitted use in Retail Business Area. This variance would result in allowing for amusement/entertainment business in Retail Business District not shown as permitted in Zoning Code. The essential character to the neighborhood would not be substantially altered and adjoining properties would not suffer substantial detriment as a result of the variance."

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Motion made by Councilman Divis, seconded by Councilman Casselberry to grant the variance. Motion carried. Variance is granted.

Planning Committee Chairman Divis: The Planning Committee of Council met this evening to discuss the PROPOSAL 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 Joe & Diane Lieber, Quest Property Holdings, LLC for property at 7605-7607 Deerfield Drive. PPN 449-11-005.

They have requested a "USE" Variance of the City of Parma Codified Ordinances of Section 1153.02 – SINGLE FAMILY HOUSE DISTRICTS – PRINCIPAL USES AND BUILDINGS. The proposal is to obtain a reverse bank mortgage on a legal, non-conforming 2-family dwelling in a single-family house district which would require a variance to allow rebuilding of 2-family structure if destroyed. The property is located at 7605-7607 Deerfield Drive. 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. This variance would result in rebuilding of 2-family dwelling in a Single-Family House District. The essential character of the neighborhood would not be substantially altered, the adjoining properties would not suffer substantial detriment as a result and the spirit and intent behind the Zoning Board would be observed and justice served, and the predicament cannot be obviated through any other method than this variance".

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Motion made by Councilman Divis, seconded by Councilman Casselberry to grant the variance. Motion carried. Variance is granted.

Planning Committee Chairman Divis: The Planning Committee of Council met this evening to discuss the Variance for the Applicant Lisa Pribojan, 4311 Lincoln Ave. PPN 443-30-001. The applicant has 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 26' motor home on hard surface back yard at 4311 Lincoln Avenue. 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 2' additional overall length of recreational equipment to be stored on hard surface driveway perpendicular to garage and askew to the garage to allow for access. By granting this variance the characteristic of the neighborhood would not be substantially altered. By granting this variance the spirit and intent of the Zoning/Building requirements would be observed."

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Motion made by Councilman Divis, seconded by Councilman Casselberry to grant the variance. Motion carried. Variance is granted.

INTRODUCTION OF ORDINANCES AND RESOLUTION

FIRST READING:

ORDINANCE NO. 180-19 10/21/19 L-180-19

BY: B. BROCHETTI
(By Request – Human Resources Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR MEDICAL INSURANCE COVERAGE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 206-19 10/21/19 L-206-19

BY: B. BROCHETTI
(By Request – Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS), UNDER THE MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) FOR SANITARY SEWERS ON SPRAGUE ROAD BETWEEN YORK ROAD AND W. 130TH STREET, AS PART OF THE SPRAGUE ROAD WIDENING PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 213-19 10/21/19 L-213-19

BY: V. DIPIERRO

AN ORDINANCE PLACING A MORATORIUM ON NEW ESTABLISHMENTS THAT SELL OR DISTRIBUTE ELECTRONIC SMOKING DEVICES AND/OR VAPOR PRODUCTS IN THE CITY OF PARMA, OHIO AND DECLARING AN EMERGENCY

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

SECOND READING:

BY: R.J. JECH
(By Request – City Engineer)

ORDINANCE NO. 189-19 10/7/19 L-189-19

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE HEADWALL AND STORM SEWER IMPROVEMENTS AT 1560 LOURDES DRIVE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilman Casselberry to refer Ordinance No. 189-19 back to the Finance Committee. Motion carried.

BY: D. LIME
(By Request – Auditor)

ORDINANCE NO. 197-19 10/7/19 L-197-19

AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH A SPECIAL REVENUE FUND TITLED "NUISANCE PROPERTY MAINTENANCE FUND", AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilman Casselberry to refer Ordinance No. 197-19 back to the Finance Committee. Motion carried.

THIRD READING:

BY: K.L. SABAN
(By Request – City Engineer)

RESOLUTION NO. 156-19 8/5/19 L-156-19

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE BROADROCK COURT AND OLD ROCKSIDE ROAD IN THE CITY OF PARMA, OHIO, BY PROVIDING THE INSTALLATION OF SANITARY SEWERS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban, seconded by Councilman Casselberry to hold Resolution No. 156-19 on Third Reading. Motion carried.

BY: K.L. SABAN, R.J. JECH, D. LIME, B. BROCHETTI, M. CASSELBERRY, L. NAPOLI,
A. DIVIS

ORDINANCE NO. 165-19 9/16/19 L-165-19

AN ORDINANCE TO AMEND SECTION 331.40(f)(1)(2) "STOPPING FOR SCHOOL BUS; ACTUATING VISUAL SIGNALS; DISCHARGING CHILDREN" OF CHAPTER 331 "OPERATION GENERALLY" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 165-19.

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

No: None; Ordinance No. 165-19 is adopted.

ORDINANCE NO. 172-19

9/16/19

L-172-19

BY: B. BROCHETTI
(By Request – Auditor)

AN ORDINANCE REQUESTING AND AUTHORIZING THE CUYAHOGA COUNTY FISCAL OFFICER TO MAKE TAX ADVANCES TO CERTAIN DESIGNATED OFFICERS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 172-19.

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

No: None; Ordinance No. 172-19 is adopted.

ORDINANCE NO. 175-19

9/16/19

L-175-19

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

AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF PARMA, OHIO, TO BE A PUBLIC PURPOSE IN CONNECTION WITH THE ESTABLISHMENT OF TAX INCREMENT FINANCING PROGRAM UNDER OHIO REVISED CODE SECTION 5709.41; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING THE OWNERS THEREOF TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING AN URBAN REDEVELOPMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 175-19.

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

No: None; Ordinance No. 175-19 is adopted.

ORDINANCE NO. 179-19

9/16/19

L-179-19

BY: D. LIME, V. DIPIERRO, B. BROCHETTI, A. DIVIS, L. NAPOLI
(By Request – Safety Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 423-06 TO INCREASE THE COMPENSATION RANGE OF THE "PART-TIME CLERK" WITHIN THE DIVISION OF POLICE WITHOUT RANK, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 179-19.

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

No: None; Ordinance No. 179-19 is adopted.

ORDINANCE NO. 182-19

9/16/19

L-182-19

BY: B. BROCHETTI
(By Request – Community Services Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO TRANSFER, BY QUIT CLAIM DEED, VACANT CITY OWNED PROPERTY HELD UNDER THE NAME VILLAGE OF PARMA, LOCATED NEAR STANBURY ROAD AND WESTMINSTER DRIVE (PERMANENT PARCEL 449-13-009) TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION (PCIC), AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 182-19.
Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Napoli.
No: Lime; Ordinance No. 182-19 is adopted.

RESOLUTION NO. 183-19 9/16/19 L-183-19

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

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE
SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER
443-08-053, 5802 KENNETH AVENUE, PARMA, OHIO, AND DECLARING AN
EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 183-19.
Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Resolution No. 183-19 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 205-19, Ordinance No. 207-19, Resolution No. 208-19, Resolution No. 210-19, and Ordinance No. 211-19 on three different days be dispensed with?

Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 205-19, Ordinance No. 207-19, Resolution No. 208-19, Resolution No. 210-19, and Ordinance No. 211-19 be placed on final passage?

Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Motion carried.

ORDINANCE NO. 205-19 10/21/19 L-205-19

BY: B. BROCHETTI
(By Request – Auditor)

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 Casselberry to adopt Ordinance No. 205-19.
Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Ordinance No. 205-19 is adopted.

ORDINANCE NO. 207-19 10/21/19 L-207-19

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 Councilman Casselberry to adopt Ordinance No. 207-19.
Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Ordinance No. 207-19 is adopted.

RESOLUTION NO. 208-19 10/21/19 L-208-19
BY: B. BROCHETTI
(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 Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 208-19.
Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Resolution No. 208-19 is adopted.

RESOLUTION NO. 210-19 10/21/19 L-210-19
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. 210-19.
Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Resolution No. 210-19 is adopted.

ORDINANCE NO. 211-19 10/21/19 L-211-19
BY: B. BROCHETTI
(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2019 PERMANENT APPROPRIATIONS THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 211-19.
Yes: Saban, Brochetti, Casselberry, Dipierro, Divis, Jech, Lime, Napoli.
No: None; Ordinance No. 211-19 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

None of the Administration wished to speak.

Motion made by Councilwoman Saban, seconded by Councilman Casselberry to suspend the Round Robin. Motion carried.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Divis, seconded by Councilman Dipierro to excuse Councilman Kish from the meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Brochetti, seconded by Councilman Jech to adjourn said meeting at 8:18 PM. Motion carried.

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, October 21, 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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