

**MINUTES
PARMA CITY COUNCIL MEETING
PARMA COUNCIL CHAMBERS
NOVEMBER 18, 2019
7:00 P.M.**

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

COUNCIL MEMBERS PRESENT:	MARK CASSELBERRY ALLAN DIVIS DENNIS M. KISH DEBORAH LIME LARRY NAPOLI KRISTIN L. SABAN BRIAN BROCHETTI
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COUNCIL MEMBER EXCUSED:	ROY J. JECH
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Ms. Beeble – 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, Chief Deputy Law Director Timothy Miller, Auditor Brian Day, Treasurer Tom Mastroianni, Communications and Community Relations Director Carolyn Kovach, Recreation Commissioner Mickey Vittardi, Director of Human Resources Renee Guy, Community Development Director Erik Tollerup, Chief of Staff Michael Culp and Chief Deputy Lisa Beeble.

INVOCATION

The Invocation was given by Father Anthony J. Suso, Pastor at St. Columbkille Catholic Parish.

PLEDGE OF ALLEGIANCE

LEGISLATIVE COMMENT:

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the Minutes of the Regular Council Meeting of November 4, 2019. Asked if there were any additions or corrections to the Minutes? Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Chief Deputy – Stated, the Parma Board of Zoning Appeals met on Tuesday, Nov. 12, 2019 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. PPN 444-04-114.

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.

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.

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

Chief Deputy – Stated, the Parma Board of Zoning Appeals met on Tuesday, Nov. 12, 2019 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. PPN 445-17-306.

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.

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.

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

Chief Deouty – Stated, the Parma Board of Zoning Appeals met on Tuesday, November 12, 2019 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. PPN 442-18-047.

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 that other driveways in the neighborhood.”

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

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.

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

RESOLUTION NO. 230-19 11/18/19 L-230-19
BY: **D. LIME**, M. CASSELBERRY, A. DIVIS, D. M. KISH, L. NAPOLI, K. L. SABAN,
B. BROCHETTI

A RESOLUTION SUPPORTING "SMALL BUSINESS SATURDAY" DESIGNATED FOR SATURDAY, NOVEMBER 30, 2019, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 230-19.

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

No: None; Resolution No. 230-19 is adopted.

ORDINANCE NO. 232-19 11/18/19 L-232-19
BY: D. LIME, K. L. SABAN

AN ORDINANCE TO AMEND SUBSECTIONS (a)(2) AND (b)(2) OF SECTION 1501.36 "REGISTRATION AND INSPECTION REQUIREMENTS INCLUDING DISCLOSURE OF ALL CONTRACTORS" IN CHAPTER 1501 "ADMINISTRATION" TO INCLUDE PROPERTY MANAGEMENT COMPANIES, AND DECLARING AN EMERGENCY

Councilwoman Lime – Gave a brief explanation of the Ordinance.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 232-19.

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

No: None; Ordinance No. 232-19 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – No comment.

Safety Director Weinreich – No comment.

Service Director Higgins – No comment.

Auditor Day – Wished everyone a Happy Thanksgiving. Also thanked Father Suso for giving the invocation.

Chief Deputy Law Director Miller – No comment.

Treasurer Mastroianni – Wished everyone a Happy Thanksgiving.

Councilman Casselberry – Wished everyone a Happy Thanksgiving and asked everyone to support Small Business Saturday.

Councilman Dipierro – Wished everyone a Happy Thanksgiving.

Councilman Divis – Wished everyone a Happy Thanksgiving.

Councilman Kish – Wished everyone a Happy Thanksgiving and asked everyone to remember the less fortunate at this time of the year.

Councilwoman Lime – Wished everyone a Happy Thanksgiving.

Councilman Napoli – Wished everyone a Happy Thanksgiving and asked everyone to support Small Business Saturday.

Councilwoman Saban – Wished everyone a Happy Thanksgiving.

Councilman Brochetti – Wished everyone a Happy Thanksgiving.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Casselberry seconded by Councilwoman Lime to excuse Councilman Jech from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adjourn said meeting at 7:31 P.M.

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 from the Regular Council Meeting held on Monday, November 18, 2019.

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

 /s/ Sean P. Brennan

SEAN P. BRENNAN
PRESIDENT OF COUNCIL