# FEBRUARY 19, 2013 PARMA CITY HALL COUNCIL CHAMBER REGULAR COUNCIL MEETING 7:00 P.M.

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

COUNCIL MEMBERS PRESENT: BRIAN BROCHETTI

MARK CASSELBERRY BRIAN DAY ALLAN DIVIS MARY GALINAS DEBORAH LIME LARRY NAPOLI ANDY SCHOFIELD SCOTT M. TUMA

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 G. Dobeck, Auditor Dennis M. Kish, Treasurer Thomas Mastroianni, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Director of Human Resources Thomas Weinreich, Community Development Director Erik Tollerup, Chief of Staff Michael Culp, Director of Public Housing Lev Kulchytsky, and Clerk of Council Kenneth A. Ramser.

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#### INVOCATION

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

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## **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led this evening by Girl Scout Troop 71499.

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## **VOICE VOTE:**

RESOLUTION NO. 27-13 2/19/13 L-27-13

BY: B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD, S. TUMA

A RESOLUTION HONORING DENNIS JOHN KUCINICH U.S. REPRESENTATIVE, OHIO SENATOR, MAYOR, COUNCILMAN, CIVIC ACTIVIST

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 27-13. Motion carried.

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RESOLUTION NO. 33-13 2/19/13 L-33-13
BY: **B. BROCHETTI,** M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD, S. TUMA

A RESOLUTION HONORING KYLE DAVID BAER ON ATTAINING THE RANK OF EAGLE SCOUT

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 33-13. Motion carried.

# **VOICE VOTE CONTINUED:**

RESOLUTION NO. 34-13 2/19/13 L-34-13

BY: B. BROCHETTI, M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI. A. SCHOFIELD. S. TUMA

A RESOLUTION HONORING AND RECOGNIZING ROY J. JECH COUNCILMAN WARD 9

January 1, 1994 - December 31, 2012

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 34-13. Motion carried.

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#### LEGISLATIVE COMMENT

Mr. Brennan - Asked if anyone from the public would like to comment on any legislation that Council will be taking final action on tonight.

Representative from Laketec Communications, Inc. (Ron Seibert) - made comments regarding Ordinance No. 261-12 which is to be reconsidered this evening.

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## **DISPOSAL OF THE JOURNAL**

Mr. Brennan - Stated, we have the Minutes from the Regular Council Meeting of February 4, 2013, and the Minutes from the Special Council Meeting of February 4, 2013. Asked if there were any additions or corrections to these Minutes. Stated, hearing none, the Minutes will stand approved as printed.

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## **COMMUNICATIONS, PETITIONS, AND CLAIMS**

Mr. Brennan - There are no communications, petitions, and claims.

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#### **FIRST READING:**

ORDINANCE NO. 47-13 2/19/13 L-47-13

BY: **B. DAY**, A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD, S. M. TUMA (By Request - Mayor) B. BROCHETTI, M. CASSELBERRY

AN ORDINANCE TO EXTEND THE MORATORIUM FOR AN ADDITIONAL ONE HUNDRED EIGHTY (180) DAYS ON THE GRANTING OF ANY PERMITS ALLOWING THE OPERATION OF INTERNET CAFES OR OF BUSINESSES DEVOTING FLOOR SPACE TO INTERNET-BASED SWEEPSTAKES GAMES WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan - Ordinance No. 47-13 will be referred to the Public Safety Committee.

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#### -THIRD READING:

ORDINANCE NO. 9-13 1/22/13 L-9-13

BY: **B. DAY** 

(By Request - Safety Director)

AN ORDINANCE TO REPEAL SECTION 131.05 "FUNDING OF SURVEILLANCE OPERATIONS" OF THE CODIFIED ORDINANCES

## OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Ordinance No. 9-13.

#### THIRD READING CONTINUED:

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None: Ordinance No. 9-13 is adopted.

ORDINANCE NO. 14-13 1/22/13 L-14-13

BY: M. GALINAS

(By Request - Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE HOUSING RESEARCH & ADVOCACY CENTER FOR THE PROVISION OF FAIR HOUSING SERVICES BETWEEN MARCH 1, 2013, AND DECEMBER 31, 2013, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Ordinance No. 14-13.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None; Ordinance No. 14-13 is adopted.

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### SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 32-13, Resolution No. 35-13, Ordinance No. 36-13, Ordinance No. 38-13, Ordinance No. 39-13, Resolution No. 40-13, and Resolution No. 46-13 on three different days be dispensed with?

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None; motion carried.

Mr. Brennan - Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 32-13, Resolution No. 35-13, Ordinance No. 36-13, Ordinance No. 38-13, Ordinance No. 39-13, Resolution No. 40-13, and Resolution No. 46-13 be placed on final passage?

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None: motion carried.

RESOLUTION NO. 32-13 2/19/13 L-32-13

BY: A. SCHOFIELD, B. DAY, A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI, S. M. TUMA B. BROCHETTI, M. CASSELBERRY

> A RESOLUTION IN SUPPORT OF H.R. 129, KNOWN AS THE RETURN TO PRUDENT BANKING ACT OF 2013, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 32-13.

Councilwoman Galinas - Asked for a brief explanation for our audience.

Law Director Dobeck - Stated that he was not the sponsor of it, and they prepared it for the sponsor. The Whereas Clauses were provided to them, and he thinks they are selfexplanatory. Went through the Whereas Clauses.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None; Resolution No. 32-13 is adopted.

SUSPENSION OF THE RULES CONTINUED:

RESOLUTION NO. 35-13

2/19/13 L-35-13

BY: **B. DAY,** A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI, A. SCHOFIELD, S. M. TUMA, B. BROCHETTI, M. CASSELBERRY (By Request - City Engineer)

A RESOLUTION SUPPORTING THE PARMA CITY SCHOOL DISTRICT'S APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR A GRANT TO DEVELOP A SAFE ROUTES TO SCHOOL (SRTS) TRAVEL PLAN, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 35-13.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None; Resolution No. 35-13 is adopted.

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ORDINANCE NO.36-13 2/19/13 L-36-13

BY: **M. GALINAS,** DEBORAH LIME, LARRY NAPOLI, ANDY SCHOFIELD, SCOTT M. TUMA, BRIAN BROCHETTI, MARK CASSELBERRY, BRIAN DAY, ALAN DIVIS

AN ORDINANCE TO CONVEY A VACANT "DEVIL STRIP" OF CITY-OWNED LAND, PERMANENT PARCEL NUMBER 442-31-071, LOCATED ON GREENLAWN ROAD TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Galinas, seconded by Councilman Day, to amend Ordinance No. 36-13 by accepting the attached Exhibit "A". Motion carried

Councilman Tuma - Asked someone to explain what a devil strip is.

Law Director Dobeck - Gave an explanation.

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Ordinance No. 36-13 as amended.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None: Ordinance No. 36-13 is adopted as amended.

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ORDINANCE NO. 38-13

2/19/13 L-38-13

BY: B. DAY, A. DIVIS, M. GALINAS, L. NAPOLI, A. SCHOFIELD, S. M. TUMA,

B. BROCHETTI, M. CASSELBERRY

(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE CONTRACT PRICING FOR THE CHASSIS REPAIRS TO MEDIC 4 FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Ordinance No. 38-13.

Councilwoman Lime - Asked the Safety Director questions regarding Medic 4.

Safety Director Baeppler - Answered Councilwoman Lime's guestions.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None; Ordinance No. 38-13 is adopted.

Councilwoman Lime asked the President if she could ask just one more question.

Mr. Brennan - Stated - With no objection. There was no objection.

# **SUSPENSION OF THE RULES CONTINUED:**

Councilwoman Lime - Stated - I see that the Funds are the Fire Levy Funds and the 405 Funds. Asked the Safety Director when the City received the money from the insurance company and the driver of the accident, which Fund did that money go into?

Safety Director Baeppler - Deferred the guestion to the Auditor.

Auditor Kish - Stated he would look it up.

Councilwoman Lime - Asked that all of Council be notified with the answer.

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ORDINANCE NO. 39-13

2/19/13 L-39-13

BY: S. M. TUMA, A. DIVIS (By Request - Auditor)

> AN ORDINANCE TO AMEND THE 2013 TEMPORARY APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Ordinance No. 39-13.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None; Ordinance No. 39-13 is adopted.

RESOLUTION NO. 40-13 2/19/13 L-40-13

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 Day, to adopt Resolution No. 40-13.

Councilwoman Lime - Made comments regarding the late dates on a couple of the post certifications.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None: Resolution No. 40-13 is adopted.

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RESOLUTION NO. 46-13 2/19/13 L-46-13

BY: M. CASSELBERRY, B. DAY, A. DIVIS, M. GALINAS, D. LIME, L. NAPOLI,

A. SCHOFIELD, S. M. TUMA, B. BROCHETTI

(By Request - Building Commissioner).

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 444-19-081, 3905 MILFORD AVENUE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 46-13.

Councilman Casselberry - Asked for Council's support on this Resolution.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None: Resolution No. 46-13 is adopted.

TO BE RECONSIDERED:

ORDINANCE NO. 261-12 12/17/12 L-261-12

BY: B. DAY, M. GALINAS

(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR INFORMATION TECHNOLOGY SUPPORT SERVICES FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Day, seconded by Councilwoman Galinas, to reconsider Ordinance No. 261-12. Motion carried.

Councilwoman Lime - Asked for an explanation from the Safety Director.

Safety Director Baeppler - Gave an explanation.

Councilwoman Lime - Asked for a clarification of why it is being reconsidered.

Safety Director Baeppler - Specifically, it is being reconsidered because the language erroneously stated \$4500.00, end of story, when it was \$4500.00 per month.

Councilman Tuma - Stated - this is being reconsidered due to a typo, not substance in the Ordinance.

Safety Director - Stated - Yes, that is correct.

Motion made by Councilman Day, seconded by Councilwoman Galinas, to amend Reconsidered Ordinance No. 261-12 as follows: In Section 1, Line 4, after the amount of "\$4,500.00", add the words "per month". Motion carried.

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt amended Ordinance No. 261-12.

Yes: Day, Divis, Galinas, Lime, Napoli, Schofield, Tuma, Brochetti, Casselberry.

No: None: Ordinance No. 261-12 is adopted as amended.

**APPOINTMENTS AND CONFIRMATIONS** 

Mr. Brennan - Asked the Mayor if there were any appointments or confirmations at this time.

Mayor DeGeeter - Stated that there were none.

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**PUBLIC SESSION** 

Mr. Ken Elhert, 7923 Liberty Avenue - Made comments relative to articles that were in the paper regarding two Council members.

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## **MISCELLANEOUS BUSINESS**

Mayor DeGeeter - Made comments regarding Ordinance No. 261-12. Mentioned the State of the City Address and the Mayor's Out which will be held next Monday at Parma Hospital at 7:00 p.m. Encouraged everyone to come. Mentioned having Wi-Fi at McDonald's on Day Drive as well as at City Hall and the Ice Rink.

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5	Safety Director Baeppler - No comment.
1	Auditor Kish - No comment.
L	_aw Director Dobeck - No comment.
ľ	MISCELLANEOUS BUSINESS CONTINUED:
7	Treasurer Mastroianni- No comment.
(	Councilman Day - No comment.
(	Councilman Divis - No comment.
(	Councilwoman Galinas - No comment.
(	Councilwoman Lime - No comment.
	Councilman Napoli - Reminded everyone that the Blues for Greens (West Creek Fu Raiser) is on March 9 <sup>th</sup> .
(	Councilman Schofield - No comment.
(	Councilman Tuma - No comment.
(	Councilman Brochetti - No comment.
(	Councilman Casselberry - Thanked everyone for passing Resolution No. 46-13.
er ar	Mr. Brennan - Stated, I provided Members of Council with a copy of the City of arma Andrew Boyko Memorial Scholarship Foundation Application. If you known seniors in High School in your ward that are looking for college money, the oplication deadline is April 19 <sup>th</sup> . If you need more copies of the application, we have them in the Council Office, and it's also available on the City's Website.
	REPORT ON ABSENT MEMBERS  Motion made by Councilman Day, seconded by Councilman Napoli, to excu Director Brian Higgins. Motion carried.

**ADJOURNMENT** 

Motion made by Councilman Day, seconded by Councilman Tuma, to adjourn said regular Council Meeting. Motion carried.			
<u></u>	IFICATION  il for the City of Parma, Ohio, do hereby certify the utes from the regular Council Meeting held on		
KENNETH A. RAMSER CLERK OF COUNCIL	SEAN P. BRENNAN PRESIDENT OF COUNCIL		
Meeting adjourned at 7:39 p.m.			

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