

**SEPTEMBER 15, 2014
REGULAR COUNCIL MEETING MINUTES
PARMA CITY HALL COUNCIL CHAMBERS
7:10P.M.**

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

COUNCIL MEMBERS PRESENT:

BRIAN BROCHETTI
MARK CASSELBERRY
JEFFREY CROSSMAN
BRIAN DAY
VITO DIPIERRO
ALLAN DIVIS
DEBORAH LIME
LARRY NAPOLI
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 Dobeck, Auditor Dennis Kish, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Gregory Baeppler, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Jeannie Roberts, Recreation Commissioner Mickey Vittardi, Director of Human Resources Thomas Weinreich, Community Development Director Erik Tollerup, Chief of Staff Michael Culp, Economic Development Officer/Grant Writer Shelley Cullins, Director of Public Housing Lev Kulchytsky, 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. 181-14 9/15/14 L-181-14
BY: **J. CROSSMAN**, B. BROCHETTI, M. CASSELBERRY, B. DAY, V. DIPIERRO, A. DIVIS,
D. LIME, L. NAPOLI, S. M. TUMA

A RESOLUTION HONORING HONEY HUT ICE CREAM ON THEIR 40TH
ANNIVERSARY

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 181-14. Motion carried.

Mr. Brennan asked the representatives to come forward and then he read the Resolution in its entirety.

Councilman Jeffrey Crossman – Presented the Resolution, along with a Certificate from the Law Director and Treasurer, to Honey Hut.

Mayor DeGeeter – Presented a Proclamation to Honey Hut.

RESOLUTION NO. 193-14 9/15/14 L-193-14

BY: **B. DAY**, B. BROCHETTI, M, CASSELBERRY, J. CROSSMAN, V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI,

A RESOLUTION HONORING JUST-A-BUCK BUSINESS OF THE MONTH –
September, 2014

Motion made by Councilman Tuma, seconded by Councilman Day, to adopt Resolution No. 193-14. Motion carried

Mr. Brennan asked the representatives to come forward and then he read the Resolution in its entirety.

Councilman Brian Day – Presented the Resolution, along with a Certificate from the Law Director and Treasurer, to Just-A-Buck.

Mayor DeGeeter – Presented a Proclamation to Just-A-Buck.

AMENDMENT TO THE CALENDAR

Motion made by Councilman Tuma, seconded by Councilman Day, to amend the Calendar as follows: Add Ordinance No. 197-14 to First Reading. Also under Second Reading Suspension Ordinance No. 186-14 will be referred back to the Finance Committee. Motion carried.

LEGISLATIVE COMMENT

Gene Celine- Stated that he is with Tucker Ellis legal council for University Hospitals. Discussed the need for passage of Ordinance No. 195-14, that there is no liability for Parma; they have gone over this with the Law Dept.

Brad Bond – Stated that he is Vice President of Treasury for University Hospitals Health System. They are very excited to be in Parma. Stated they bring a lot community benefit to the communities they join. Spoke regarding the passage of the Parma Hospital Ordinance.

Law Director Tim Dobeck – Acknowledged the ladies and gentleman from UH. Stated that there will be no financial liability for the city.

Dean DePiero – Introduced Nancy Tinsley the new President and CEO of the Parma Medical Center. Stated Nancy will come back to the October 20 Council meeting to give as overview on what is happening with Parma Hospital.

Nancy Tinsley – Stated that the UH integration with Parma Hospital is going well and is looking forward to the October meeting for more discussion.

Dave Nedrich – Stated that we made the right discussion in integrating with UH.

Greg A. – Stated that he is representing the owner of property at 1120 W. Pleasant Valley Rd. Read a letter about the Variance that was up for passage this evening.

Brian Fago – Stated that he is the architect working on the project that is being discussed. Stated that they have met all issues with the city.

DIPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you this evening the minutes from the September 2, 2014 Regular Council Meeting. Asked if there were any additions to these Minutes? Stated, hearing none, these Minutes will stand approved and printed.

COMMUNICATIONS, PETITIONS, AND CLAIMS

Councilman Divis - Stated the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Erik Tollerup, for the property at 5288 Pearl Rd., Parma, Oh 44129 PPN 443-22-026 & 027.

The Request is for a "Use" variance of the Section 1170.03 (F)(3) – COMMERCIAL/OFFICE DISTRICTS-SCHEDULE OF PERMITTED BUILDINGS AND USES-AUTOMOTIVE REPAIR GARAGE. The proposal is to allow automobile repair in Retail Business Zoning District. Automotive repair garage permitted only in Commercial/Manufacturing "A" and "B" Districts. This variance would result in allowing to run automotive repair business in Retail Business District.

Motion made by Councilman Divis, seconded by Councilman Day to Grant the Variance as recommended by the Parma Board of Zoning Appeals and the Planning Committee of Council. Motion carried.

Councilman Divis – Stated the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Erik Tollerup, for the property at 5288 Pearl Rd., Parma OH 44129 PPN 443-22-032, 034, 035.

The Request is for a "Use" variance of the Section 1153.02 – SINGLE-FAMILY HOUSE DISTRICTS – PRINCIPAL USES AND BUILDINGS. The proposal is to use property in Single-Family House District for commercial parking lot use. 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 allow for use of residential property in single-family house district for commercial parking lot.

Motion made by Councilman Divis, seconded by Councilman Day to Grant the Variance as recommended by the Parma Board of Zoning Appeals and the Planning Committee of Council. Motion carried.

Councilman Divis - Stated the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Dan Neff, for the property at 7490 Broadview Rd., Parma OH 44134 PPN 452-34-006.

The Request is for a "Use" variance of the Section 1170.06 –OFF-STREET PARKING AND LOADING FACILITIES-SCHEDULE OF REQUIRED PARKING. The proposal is to have new 3-tenant commercial building at Sears Plaza – 7490 Broadview Road for 1042 W. Pleasant Valley – Tenant Space "A"; 1064 W. Pleasant Valley – Tenant Space "B" and 1086 W. Pleasant Valley – Tenant Space "C". Required by Code is maximum lot coverage by all main and accessory buildings shall not exceed 25% of the lot. The proposed lot coverage to be 31.5%. This variance would result in 6.5% for exceeding of required lot coverage.

The Second Request is for a "Area" variance of the City of Parma Codified Ordinances of Section 1197.05(27) – OFF STREET PARKING AND LOADING FACILITIES – SCHEDULE OF REQUIRED PARKING. The proposal is to have new 3 tenant commercial building at Sears Plaza – 7490 Broadview Road for 1042 W. Pleasant Valley – Tenant Space "A"; 1064 W. Pleasant Valley – Tenant Space "B" and 1086 W. Pleasant Valley – Tenant Space "C". Amount of parking required for this facility is 266 parking spaces. Plus a 10 car stacking area for a drive-thru. The proposal is for 216 parking spaces plus a 10 car stacking area. This variance would result in 50 less parking spaces. PPN is 452-34-006. A stipulation that they comply with the recommendations and requirements of the Building Department and that the studies provide the property information and studies to go along with that.

Motion made by Councilman Divis, seconded by Councilman Day to Grant the Variance with the stipulation that they comply with the recommendations and requirements of the Building Department and that the studies provide the property information and studies to go along with that as recommended by the Parma Board of Zoning Appeals and the Planning Committee of Council. Motion carried.

Institution notice for Liquor Permit from Ohio Department of Commerce- Division of Liquor Control, to Ridgewood Lake Park Playground & Pool Ridgewood Lake Dr. & W. Ridgewood Dr. Parma, Ohio 44129. The request is for a transfer of D1 D3 D6 for Chipotle Mexican Grill of Colorado LLC DBA Chipotle Mexican Grill 2281 7703 W Ridgewood Dr. Parma, Ohio 44129

FIRST READING:

ORDINANCE NO. 189-14

9/15/14

L-189-14

BY: B. DAY

(By Request-Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO PROCUREMENT PRICING FOR THE PURCHASE OF ONE (1) 2015 CHEVROLET TAHOE PPV FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

ORDINANCE NO. 175-14

9/2/14

L-175-14

BY: B. DAY

(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 ARCHITECTURAL AND ENGINEERING SERVICES FOR THE 911 CONSOLIDATION PROJECT, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No 175-14 back to the Finance Committee.

ORDINANCE NO. 180-14

9/2/14

L-180-14

BY: S. M. TUMA

(By Request-Human Resources Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SECTION 457 DEFERRED COMPENSATION PLAN ADOPTION AND SERVICE AGREEMENT WITH FTJ FUNDCHOICE, LLC, THROUGH ITS AGENT TO OFFER CITY EMPLOYEES ADDITIONAL DEFERRED COMPENSATION PLANS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to accept Exhibit A and refer Ordinance No. 180-14 back to the Finance Committee. Motion carried.

RESOLUTION NO. 183-14

9/2/2014

L-183-14

BY: S. M. TUMA

(By Request-Auditor)

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 180-14 back to the Finance Committee. Motion carried.

ORDINANCE NO. 185-14

9/2/14

L-185-14

BY: S. M. TUMA

(By Request-Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH STRATEGIC AGGREGATION CONSULTANTS FOR CONSULTING SERVICES FOR ELECTRIC SUPPLY

AGREEMENT WITH FIRST ENERGY SOLUTIONS (FES), AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to accept Exhibit A and refer Ordinance No. 185-14 back to the Finance Committee. Motion carried. Councilman Day- Stated that there was discussion that the E Group was no longer around.

Mr. Dobeck- Stated that the E Group was sold last year. We have made arrangements for last year and this year without any additional cost.

SECOND READING SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 134-14, Ordinance No. 162-14, Ordinance No. 163-14, and Resolution No. 186-14 on three different days be dispensed with?

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

No: None; motion carried.

ORDINANCE NO. 134-14

9/2/14

L-134-14

BY: B. DAY, M. CASSELBERRY

(By Request-Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR INSTALLATION OF CONCRETE CURBS ON WEST 33RD STREET BETWEEN BROOKPARK ROAD AND FORTUNE AVENUE AND WEST 44TH STREET BETWEEN LONGWOOD AVENUE AND DAWNSHIRE DRIVE WITHIN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to amend Ordinance No. 134-14 as follows: In section 1, line 2, insert D. L. Smith Concrete & Design, LLC., and on line 5, insert \$147,710.00. Also please delete in Section 3 Fund No. 405-405- Capital Improvement; Account No. 62110-13414-Professional Services and Insert Fund No.450-450, Account no. 62110-13414.

Motion made by Councilman Tuma, seconded by Councilman Day to adopt as amended Ordinance No. 134-14.

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

No: None; Ordinance No. 134-14 is adopted.

ORDINANCE NO. 162-14

9/2/14

L-162-14

BY: **A. DIVIS**, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY, V. DIPIERRO, D. LIME, L. NAPOLI, S. M. TUMA

(By Request-Mayor)

AN ORDINANCE TO CREATE AND CONVEY CITY-OWNED PROPERTY INTEREST KNOWN AS AN EASEMENT LOCATED ON PERMANENT PARCEL

NUMBER 450-18-001 ON STEARNS FARM ON RIDGE ROAD IN THE CITY OF PARMA TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 162-14.

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

No: None; Ordinance No. 162-14 is adopted.

ORDINANCE NO. 163-14

9/2/14

L-163-14

BY: **A. DIVIS**, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY, V. DIPIERRO, D. LIME, L. NAPOLI, S. M. TUMA

(By Request-Mayor)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE HIGHEST AND BEST BIDDER(S) FOR THE SALE OF AN EASEMENT ON CITY-OWNED REAL PROPERTY LOCATED ON AND NEAR 7259 RIDGE ROAD ADJACENT TO THE OLD PARMA SOUTH LIBRARY, IN THE CITY OF PARMA, AND KNOWN AS PERMANENT PARCEL NUMBERS 454-03-002 AND 454-04-016, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 163-14.

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

No: None; Ordinance No. 163-14 is adopted.

RESOLUTION NO. 186-14

9/2/14

L-186-14

BY: B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY, V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI, S. M. TUMA

(By Request-Mayor)

A RESOLUTION TO APPROVE AND AUTHORIZE THE TRANSFER OF FUNDS FROM THE PARMA COMMUNITY IMPROVEMENT CORPORATION TO THE GENERAL FUND AND TO APPROVE AND AUTHORIZE THE LAW DIRECTOR TO FILE A PETITION IN THE COURT OF COMMON PLEAS, CUYAHOGA COUNTY, OHIO, SEEKING APPROVAL OF SAID TRANSFER OF FUNDS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to refer Ordinance No. 186-14 back to the Finance Committee

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 190-14, Ordinance No. 191-14, Ordinance No. 192-14, Resolution No. 194-14, and Ordinance No. 195-14 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 190-14, Ordinance No. 191-14, Ordinance No. 192-14, Resolution No. 194-14, and Ordinance no. 195-14 be placed on final passage?

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

No: None; mition carried.

RESOLUTION NO. 190-14

9/15/14

L-190-14

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. 190-14.

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

No: None; Resolution No. 190-14 is adopted.

ORDINANCE NO. 191-14

9/15/14

L-191-14

BY: S. M. TUMA

(By Request-Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2014 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 191-14.

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

No: None, Ordinance No. 191-14 is adopted.

ORDINANCE NO. 192-14

9/15/14

L-192-14

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

AN ORDINANCE TO AMEND THE 2014 PERMANENT APPROPRIATIONS
OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance
No. 192-14.

Yes: Brochetti, Casselberry, Crossman, Day, Dipierro, Divis, Lime, Napoli, Tuma
No: None; Ordinance No. 192-14 is adopted.

RESOLUTION NO. 194-14

9/15/14

L-194-14

BY: **V. DIPIERRO**, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY, A. DIVIS,
D. LIME, L. NAPOLI, S. M. TUMA
(By Request-Director of Community Services & Economic Development)

A RESOLUTION SUPPORTING THE CITY OF PARMA'S GRANT
APPLICATION FOR THE NORTHCOAST BROWNFIELD COALITION
COMMUNITY ASSESSMENT INITIATIVE FOR ENVIRONMENTAL
ASSESSMENT AT 5300 PEARL ROAD PARMA, AND DECLARING AN
EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Resolution
No. 194-14.

Councilwoman Lime - Stated that she would like hear from either the Councilman or
Director Tollerup.

Director Tollerup - Stated that this is to update measurements taken in 2007.

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

No: None, Resolution No. 194-14 is adopted.

ORDINANCE NO. 195-14

9/15/14

L-195-14

BY: **S. M. TUMA**, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, B. DAY,
V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A
BASE LEASE FOR THE PURPOSE OF GRANTING A PROPERTY INTEREST
IN CERTAIN HOSPITAL FACILITIES LEASED TO THE PARMA COMMUNITY
GENERAL HOSPITAL IN CONNECTION WITH A REFINANCING OF
CERTAIN HOSPITAL REVENUE BONDS OF THE CITY THAT WERE
PREVIOUSLY ISSUED FOR THE BENEFIT OF THE PARMA COMMUNITY
GENERAL HOSPITAL ASSOCIATION; AUTHORIZING AND APPROVING
RELATED MATTERS; AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to adopt Ordinance No. 195-14.

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

No: None; Ordinance No. 195-14 is adopted.

PUBLIC COMMENT

Tom Lashotka –11499 Gabriella Dr.- Stated that he would like to thank the Mayor, Service Director, Councilman Dipierro, and City Engineer to discuss the problem of the 6" of water in the basement. Also would like to thank the Service Department for keeping the streets clear of snow and ice this past winter for the kids going to school. Would also like the Mayor to revisit his last two public record requests of what was done on the 82 law suit. He is looking for what was done on city time and land acquisition.

MISCELLANEOUS COMMENTS

Mayor DeGeeter – Stated that Jeannie Roberts sent out on a list of activities for this coming week. He would like to invite everyone out to two Grand Openings of businesses, 5925 Ridge Rd., Health Markets Insurance and Buckeye Equipment, 7800 Broadview Rd.

Safety Director – No comment.

Service Director – No comment.

Auditor – No comment.

Law Director – No comment.

Treasurer – No comment.

Councilman Brochetti – No comment.

Councilman Casselberry – No comment.

Councilman Crossman – No comment.

Councilman Day – No comment.

Councilman Divis – No comment.

Councilman Dipierro – Stated that there will be a joint Ward meeting September 25 at the Donna Smallwood Senior Center with Councilman Divis. The host speaker will be Congressman Renacci.

Councilwoman Lime – Stated that the Phlamingos Banquet is this Saturday evening at St. Charles Parish Hall. Doors open at 6:00 with Polish food and a lot of fun.

Councilman Napoli – No comment.

Councilman Tuma – Stated that he wanted to congratulate the award winners this evening.

Councilman Brennan – Stated that he would like to send his sympathy to the Ronald Herhuth family.

ADJOURNMENT

Motion made by Councilman Day, seconded by Councilman Casselberry to adjourn said Council meeting at 8:17 PM. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, September 15, 2014.

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

 /s/ Sean P. Brennan
SEAN P. BRENNAN
PRESIDENT OF COUNCIL

Minutes completed on October 1, 2014 kj