

MINUTES
NOVEMBER 19, 2018
REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
7:00 P.M.

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

COUNCIL MEMBERS PRESENT: VITO DIPIERRO
 ALLAN DIVIS
 DENNIS M. KISH
 DEBORAH LIME
 LARRY NAPOLI
 KRISTIN L. SABAN
 BRIAN BROCHETTI
 MARK CASSELBERRY
 JEFFREY CROSSMAN

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, Deputy Auditor Mark Prok, 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 Commissioner Mickey Vittardi, Director of Human Resources Renee Guy and Clerk of Council Kenneth A. Ramser.

INVOCATION

The Invocation was given by President of Council Sean P. Brennan.

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 228-18 11-19-18 L-228-18

BY: B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, V. DIPIERRO, A. DIVIS, D. M. KISH,
D. LIME, L. NAPOLI, K. L. SABAN,

A RESOLUTION HONORING PARMA SEMINOLES 9u ON THEIR
OUTSTANDING FOOTBALL SEASON

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 228-18. Motion carried.
Councilman Crossman – Presented the Resolution and Certificates from the Law Director and Treasurer to the Coach of the Seminoles 9u.
Mayor DeGeeter – Presented a Proclamation.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the Minutes from the Regular Council Meeting held on November 3, 2018 and the Special Council Meeting held on November 13, 2018. 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

Notice received from the Ohio Division of Liquor Control for a Transfer of a D1, D2, D3 and D3A from Gyro Spot & Sports Bar 5587-89 Ridge Road, Parma, Ohio, 44129 to Ridge Road Tavern. Mailed on November 05, 2018. Responses must be postmarked no later than December 6, 2018.

Mr. Brennan – Said Liquor Permit was referred to the Safety Director and Ward Council.

Councilman Divis stated - Mr. Chairman, the Planning Committee of Council met on November 19, 2018, to discuss the Notice of Proposal to Vary for the Applicants Stanley & Paula Campbell, 8234 Pinehurst Dr., Parma, 44129, PPN 455-15-025.

The request is for an “Area” Variance of the City of Parma Codified Ordinances of Section 1153.03(c)(2) – SINGLE FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDINGS-REGULATIONS. The proposal is to park 26’ motor home on 2 concrete strips in side yard on property located at 8234 Pinehurst. 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 allow for a 2’ more overall length of recreational equipment to be stored on concrete strips in side yard of property.

Motion made by Councilman Divis seconded by Councilwoman Lime to GRANT the Variance. Motion carried.

Councilman Divis stated - Mr. Chairman, the Planning Committee of Council met on November 19, 2018, to discuss the Notice of Proposal to Vary for the Applicant Richard Eid, Rich's Mini Mart, 10550 W. Pleasant Valley Rd., Parma, 44129. PPN 456-10-006.

The request is for a variance of the City of Parma Codified Ordinances of Section 1199.06(c) - SCREENING AND BUFFERING – LANDSCAPED BUFFER AREA FOR REAR AND SIDE YARDS – MINIMUM WIDTH. The proposal is for new storage addition on property located at 10550 W. Pleasant Valley Rd. Code requires 12’ wide landscape buffer adjacent to residential zoning. The proposed landscape buffer is 0’. This variance would result in allowing “0” feet landscaped buffer adjacent to residential zoning.

The request is for a variance of the City of Parma Codified Ordinances of Section 1170.08 – SCHEDULE OF YARD AND HEIGHT REGULATIONS. The proposal is for new storage addition on property located at 10550 W. Pleasant Valley Rd. Code requires a minimum setback from residential districts is 40’. The proposed setback for new storage addition from residential district is 4’. This variance would result in allowing 36’ less setback from residential district for new storage addition.

Motion made by Councilman Divis seconded by Councilman Casselberry to GRANT the Variance. Motion carried.

Councilman Divis stated - Mr. Chairman, the Planning Committee of Council met on November 19, 2018, to discuss the Notice of Proposal to Vary for the Applicant Derek Schafer, 7381 Camelot Dr., Parma, 44134. PPN 452-31-001.

The request is for a "Use" variance of the City of Parma Codified Ordinances of Section 1153.02 - SINGLE- FAMILY HOUSE DISTRICTS - PRINCIPAL USES & BUILDINGS. The proposal is use of house structure as office with educational component in Single-Family "A" House District for property located at 7381 Camelot Dr. 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 allowing use of single-family house structure as office with educational component in Single-Family "A" House District.

Motion made by Councilman Divis seconded by Councilman Napoli to GRANT the Variance. Motion carried.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

SECOND READING:

RESOLUTION NO. 208-18 11-5-18 L-208-18

BY: D. LIME
(By Request - Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 448-07-105, 5965 WAREHAM ROAD, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Resolution No. 208-18 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 209-18 11-5-18 L-209-18

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 Councilman Brochetti seconded by Councilman Casselberry to refer Ordinance No. 209-18 back to the Finance Committee. Motion carried.

ORDINANCE NO. 213-18

11-5-18

L-213-18

BY: D. LIME

AN ORDINANCE TO AMEND THE TRAFFIC CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Ordinance No. 213-18 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 214-18

11-5-18

L-214-18

BY: D. LIME

AN ORDINANCE TO AMEND THE GENERAL OFFENSES CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Ordinance No. 214-18 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 215-18

11-5-18

L-215-18

BY: D. LIME

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOIUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT AND ENACT NEW MATTER IN THE CODIFIED ORDINANCES, TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND TO DECLARE AN EMERGENCY

Motion made by Councilman Crossman seconded by Councilman Casselberry to refer Ordinance No. 215-18 back to the Governmental Operations Committee. Motion carried.

ORDINANCE NO. 220-18

11-5-18

L-220-18

BY: K. L. SABAN
(By Request - Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS, UNDER THE MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) FOR THE BROADROCK COURT AND OLD ROCKSIDE ROAD SEPTIC SYSTEMS ABATEMENT PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Napoli seconded by Councilman Casselberry to refer Ordinance No. 220-18 back to the Environmental Standards Committee. Motion carried.

BY: A. DIVIS, 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) AND THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS, UNDER THE MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) FOR THE VALLEY VILLAS DRIVE, YORK ROAD AND STATE ROAD SEPTIC SYSTEMS ABATEMENT PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Napoli seconded by Councilman Casselberry to refer Ordinance No. 221-18 back to the Environmental Standards Committee. Motion carried.

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 refer Ordinance No. 222-18 back to the Public Safety Committee. Motion carried.

BY: D. LIME
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICE CONTRACT RENEWAL WITH DATASERV FOR INFORMATION TECHNOLOGY NETWORK SUPPORT SERVICES FOR THE POLICE DEPARTMENT AND THE COMMUNICATIONS CENTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to refer Ordinance No. 226-18 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct of Ordinance No. 206-18 and Ordinance No. 207-18 on three different days be dispensed with?

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

No: None; Motion carried.

ORDINANCE NO. 206-18 11-5-18 L-206-18
BY: **K. L. SABAN**, V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI, B. BROCHETTI,
M. CASSELBERRY, J. CROSSMAN
(By Request - City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE DEPARTMENT OF THE ARMY AND THE CITY OF PARMA FOR DESIGN AND CONSTRUCTION ASSISTANCE FOR THE BROOKDALE AVENUE AND A PORTION OF BROADVIEW ROAD SEPTIC SYSTEM ABATEMENT PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 206-18.

Yes: Dipierro, Divis, Kish, Lime, Napoli, Saban, Brochetti, Casselberry, Crossman.
No: None; Ordinance No. 206-18 is adopted.

ORDINANCE NO. 207-18 11-5-18 L-207-18
BY: **B. BROCHETTI**
(By Request - Human Resources Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT, WITH GUARDIAN FOR GROUP LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 207-18.

Yes: Dipierro, Divis, Kish, Lime, Napoli, Saban, Brochetti, Casselberry, Crossman.
No: None; Ordinance No. 207-18 is adopted.

THIRD READING:

ORDINANCE NO. 164-18 9-4-18 L-164-18
BY: **B. BROCHETTI**
(By Request - Auditor)

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND EXPENDITURES OF THE CITY OF PARMA, OHIO, DURING THE PERIOD FROM JANUARY 1, 2019 TO AND INCLUDING MARCH 31, 2019, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to amend Ordinance No. 164-18 by accepting Exhibit A and waive Rule 52 and place Ordinance No. 164-18 on Third Reading as amended for passage. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 164-18 as amended.

Yes: Dipierro, Divis, Kish, Lime, Napoli, Saban, Brochetti, Casselberry.
No: Crossman; Ordinance No. 164-18 is adopted as amended.

BY: B. BROCHETTI
(By Request - Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A TWO YEAR CONTRACT WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT TO PROVIDE PUBLIC HEALTH SERVICES FOR THE CITY OF PARMA RESIDENTS FOR THE YEAR 2019 APPROPRIATING THE SUM OF \$386,789.00, AND THE YEAR 2020 APPROPRIATING THE SUM OF \$444,725.00 AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to hold Ordinance No. 193-18 on third. Motion carried.

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

A RESOLUTION AUTHORIZING THE MAYOR TO EXCUTE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF SEVEN HILLS FOR THE RESURFACING OF WEST 9th STREET FROM DECKER DRIVE TO ROCKSIDE ROAD, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 194-18.

Yes: Dipierro, Divis, Kish, Lime, Napoli, Saban, Brochetti, Casselberry, Crossman.
No: None; Resolution No. 194-18 is adopted.

BY: D. LIME
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT UNDER THE STATE OF OHIO COOPERATIVE PURCHASE PROGRAM FOR THE PURCHASE OF EIGHTEEN (18) SETS OF TURNOUT GEAR FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 205-18.

Yes: Dipierro, Divis, Kish, Lime, Napoli, Saban, Brochetti, Casselberry, Crossman.
No: None; Ordinance No. 205-18 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 227-18, Ordinance No. 229-18, Ordinance No. 230-18 and Resolution No. 231-18 on three different days be dispensed with?

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

Mr. Brennan – Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 227-18, Ordinance No. 229-18, Ordinance No. 230-18 and Resolution No. 231-18 be placed on final passage?

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

No: None. Motion carried.

RESOLUTION NO. 227-18 11-19-18 L-227-18
BY: **D. LIME, K. L. SABAN**, V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI, B. BROCHETTI,
M. CASSELBERRY, J. CROSSMAN
(By Request - Mayor)

A RESOLUTION AUTHORIZING THE CITY OF PARMA TO APPLY FOR THE
CUYAHOGA COUNTY DEPARTMENT OF DEVELOPMENT COMMUNITY
DEVELOPMENT SUPPLEMENTAL GRANT, AND DECLARING AN EMERGENCY

Councilwoman Saban – Thanked Mr. Patel for his hard work on this Grant.
Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt
Resolution No. 227-18.

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

No: None; Resolution No. 227-18 is adopted.

ORDINANCE NO.229-18 11-19-18 L-229-18
BY: D. LIME
(By Request - Safety Director)

AN ORDINANCE APPROVING AND RATIFYING A COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE CITY OF PARMA AND THE OHIO PATROLMEN'S
BENEVOLENT ASSOCIATION REPRESENTING THE CAPTAINS ENDING
DECEMBER 31, 2020, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED
CODE, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt
Ordinance No. 229-18.

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

No: None; Ordinance No. 229-18 is adopted.

ORDINANCE NO. 230-18 11-19-18 L-230-18
BY: D. LIME
(By Request - Safety Director)

AN ORDINANCE APPROVING AND RATIFYING A COLLECTIVE BARGAINING
AGREEMENT BETWEEN THE CITY OF PARMA AND THE OHIO PATROLMEN'S
BENEVOLENT ASSOCIATION REPRESENTING THE SERGEANTS AND
LIEUTENANTS ENDING DECEMBER 31, 2020, PURSUANT TO CHAPTER 4117
OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt
Ordinance No. 230-18.

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

No: None; Ordinance No. 230-18 is adopted.

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 Councilman Brochetti seconded by Councilman Casselberry to amend Resolution No. 231-18 by accepting the revised Post Certification. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 231-18 as amended.

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

No: None; Resolution No. 231-18 is adopted as amended.

PUBLIC SESSION

Megan – Strongsville, Ohio – Discussed Breed Specific Legislation.

Citizen – Discussed Breed Specific Legislation.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Encouraged everyone to get out and shop on Small Business Saturday.

Safety Director Weinreich – Wished everyone a Happy Thanksgiving.

Service Director Higgins – Wished everyone a Happy Thanksgiving.

Deputy Auditor Prok – No comment.

Law Director Dobeck – No comment.

Treasurer Mastroianni – No comment.

Motion made by Councilman Dipierro seconded by Councilwoman Lime to dispense with Round Robin. Motion carried.

ADJOURNMENT

Motion made by Councilman Crossman seconded by Councilman Casselberry to adjourn said Regular Council Meeting at 8:19 p.m. 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 from the Regular Council Meeting held on Monday, November 19, 2018.

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

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