MINUTES JULY 6, 2020 REGULAR COUNCIL MEETING PARMA COUNCIL CHAMBERS 7:21 P.M.

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

COUNCIL MEMBERS PRESENT:

DEBORAH LIME KRISTIN L. SABAN BRIAN BROCHETTI MARK CASSELBERRY VITO DIPIERRO ALLAN DIVIS ROY J. JECH LINDA A. KOHAR

COUNCIL MEMBER EXCUSED: LARRY NAPOLI

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 Brian Day, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Thomas Weinreich, Building Commissioner/City Engineer Paul Deichmann, Communications and Community Relations Director Carolyn Kovach, Chief of Staff Rich Summers and Clerk of Council Kenneth A. Ramser.

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INVOCATION

The Invocation was given by Clerk of Council Kenneth A. Ramser. Moment of Silence for Bruce Courey.

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 93-2020 7/5/2020 L-93-2020 BY: **D. LIME, B. BROCHETTI, R. J. JECH,** M. CASSELBERRY, V. DIPIERRO, A. DIVIS, K. A. KOHAR, L. NAPOLI, K. L. SABAN

> A RESOLUTION HONORING AND RECOGNIZING ANDREW BOYKO MEMORIAL SCHOLARSHIP RECIPIENTS 2020

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 93-2020. Motion carried.

The Resolution and Certificates were presented to the Scholarship Recipients.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the Minutes from the Regular Council Meeting of June 15, 2020. Asked if there were any additions or corrections to the Minutes? Stated, hearing none, the Minutes will stand approved as printed.

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COMMUNICATIONS, PETITIONS AND CLAIMS:

Request for a New D1 Liquor Permit Application to Little Birdie Wine Nest, 6060 Broadview Road, Parma, Ohio 44134. Mailed on June 22, 2020. Responses must be postmarked no later than July 23, 2020.

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

Request for Legal Representation regarding Kathleen Hogan, Administrator of the Estate of Jonathan Legg vs. City of Parma, et al. Motion made by Councilwoman Lime seconded by Councilman Casselberry to approve. Motion carried.

AMENDMENT TO THE CALENDAR

Motion made by Councilman Jech seconded by Councilman Casselberry to amend the Calendar by removing Resolution No. 100-2020 from the Calendar. Motion carried.

FIRST READING:

ORDINANCE NO. 95-2020 7/6/2020 L-95-2020

BY: D. LIME (By Request – Community Services/Economic Development Director)

> AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2020 SIDEWALK, CURB AND CATCH BASIN PROJECT AND FOR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF ALL DESIGNATED BLIGHTED SECTIONS OF RESIDENTIAL PUBLIC SIDEWALK, CURB AND CATCH BASIN, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 96-2020 7/6/2020 L-96-2020

BY: D. LIME (By Request – Community Services/Economic Development Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT TO IMPLEMENT THE 2020 STREETSCAPE IMPROVEMENT PROJECT AND FOR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE REPLACEMENT OF ALL DESIGNATED BLIGHTED SECTIONS OF COMMERCIAL CURB, PUBLIC SIDEWALK, CATCH BASIN AND TREE LAWN, AND DECLARING AN EMERGENCY

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

BY: **B. BROCHETTI** (By Request – City Engineer)

> AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE HEADWALL AND STORM SEWER IMPROVEMENTS ON CITY OWNED LAND BEHIND 7840 HICKORY HILL LANE AND WITHIN THE DRAINAGE EASEMENT ON THE PROPERTY OF 7840 HICKORY HILL LANE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 98-2020 7/6/2020 L-98-2020

BY: L. NAPOLI (By Request – City Engineer)

> AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE IMPROVEMENTS FOR THE CULVERT REPLACEMENT NEAR 2535 WEST RIDGEWOOD DRIVE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 99-2020 7/6/2020

L-99-2020

BY: L. KOHAR (By Request – City Engineer)

> AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER. FOR THE IMPROVEMENTS FOR THE SOUTH CANTERBURY CULVERT WHICH IS UNDER SOUTH CANTERBURY ROAD BETWEEN 6360 AND 6397 SOUTH CANTERBURY IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

SECOND READING:

RESOLUTION NO. 82-2020 6/15/2020 L-82-2020

BY: L. KOHAR

(By Request – Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 449-21-095, 8101 OXFORD DRIVE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Resolution No. 82-2020 back to the Public Safety Committee. Motion carried.

BY: L. KOHAR

(By Request – Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 449-21-082, 8314 OXFORD DRIVE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Resolution No. 84-2020 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 86-2020 6/15/2020 L-86-2020

BY: L. NAPOLI

(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH DONALD BOHNING & ASSOCIATES FOR DESIGN SERVICES FOR THE MEADOW LANE HEADWALL AND STORM IMPROVEMENT PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to refer Ordinance No. 86-2020 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

 Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 87-2020 on three different days be dispensed with?

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

 No:
 None; motion carried.

 RESOLUTION NO. 87-2020 6/15/2020 L-87-2020

 BY:
 A. DIVIS, B. BROCHETTI (By Request – City Engineer)

A RESOLUTION TO EXEMPT PERMANENT PARCEL NUMBER 455-17-008 FROM THE RECENTLY COMPLETED RIDGE ROAD PHASE II SANITARY SEWER ASSESSMENT IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 87-2020.

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

No: None; Resolution No. 87-2020 is adopted.

THIRD READING:

RESOLUTION NO. 52-2020 4/14/2020

BY: B. BROCHETTI

(By Request – Auditor)

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF PARMA, OHIO, FOR THE YEAR 2021, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to amend Resolution No. 52-2020 by accepting Exhibit "A". Further moved to waive Rule 52 and place Resolution No. 52-2020 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 52-2020 as amended.

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

No: None; Resolution No. 52-2020 is adopted as amended.

ORDINANCE NO. 81-2020 6/1/2020 L-81-2020

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

> AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT MODIFICATION AND EXTENSION AGREEMENT WITH THE CITY OF PARMA HEIGHTS FOR THE PARMA REGIONAL DISPATCH CENTER IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to amend Ordinance No. 81-2020 as follows: In Section 1, add "with a copy of said contract modification in substantially similar form attached as Exhibit "A". Further moved to accept Exhibit "A", waive Rule 52 and place Ordinance No. 81-2020 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 81-2020 as amended.

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

No: None; Ordinance No. 81-2020 is adopted as amended.

SUSPENSION OF THE RULES

Mr. Brennan – Shall the Statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 91-2020, Resolution No. 92-2020 and Ordinance No. 94-2020 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 91-2020, Resolution No. 92-2020 and Ordinance No. 94-2020 be placed on final passage?

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

No: None; motion carried.

BY: D. LIME

(By Request – Safety Director)

AN ORDINANCE TO AMEND SECTION 143.32 "LAW ENFORCEMENT TRUST FUND" WITHIN CHAPTER 143 "DIVISION OF POLICE" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

Safety Director Weinreich – Stated that Section 143 sets parameters for the spending of the Law Enforcement Trust Funds. Chief Bobek asked for guidance regarding Federal Law Enforcement Trust Funds. It was determined that the parameters in the section deal with the State but not Federal. They felt the best course of action was to amend the section to set similar parameters for the expenditure of Federal Law Enforcement Trust Funds.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 91-2020.

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

No: None; Ordinance No. 91-2020 is adopted.

RESOLUTION NO. 92-2020 7/6/2020 L-92-2020

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

Councilwoman Lime – Questioned the Community Development Bauman Enterprises House Demo coming out of 405.

Service Director Higgins – State the City will be reimbursed from Community Development Funds.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Resolution No. 92-2020.

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

No: None; Resolution No. 92-2020 is adopted.

ORDINANCE NO. 94-2020 7/6/2020 L-94-2020

BY: B. BROCHETTI (By Request – Auditor)

> AN ORDINANCE TO AMEND THE 2020 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Councilwoman Lime – Asked for an explanation from the Auditor.

Auditor Day – Stated there are 47 employees that were laid off. Those line items are being credited. Page 3 is the OPERS Credit portion that the City normally pays. Page 4 is the Unemployment. They have to appropriate more for unemployment because they had no idea they were going to lay off 47 people. This is an increase. On Page 5, the first one is Professional Services. The Funds, in the amount of \$850,000, are coming from a cost sharing

from 459 which is Hickory Hill Lane, South Canterbury and Culvert near 2535 Ridgewood. The other four funds are OWDA payments that were never appropriated when the original Budget was passed. The monies are in those Funds but when the original Budget was passed the Funds were not appropriated.

Mr. Brennan – Asked what the savings are from the Lay Offs?

Auditor Day – They have to pay it all up front and will get a credit at the end of the year. Stated it will be approximately a \$400,000 savings.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 94-2020.

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

None; Ordinance No. 94-2020 is adopted.

No:

APPOINTMENTS AND CONFIRMATIONS

Councilwoman Kohar – Stated, the Appointment Scanning Committee met to discuss the reappointment of Matthew Orehek to the Municipal Income Tax Board of Review. Mr. Orehek's term expires on June 30, 2020. His new appointment would be for a two (2) year term ending on June 30, 2022.

Motion made by Councilwoman Kohar seconded by Councilman Casselberry to confirm the reappointment of Mr. Orehek as recommended by the Mayor and the Appointment Scanning Committee of Council. Motion carried.

PUBLIC SESSION

Russell Reifschneider, 8310 Manorford Drive – Commented on the fireworks on Covington Drive. It resulted in a fire. Asked what is the City going to do about it in the future, and what is going to happen to the residents who are blowing off the fireworks? Stated he heard the State of Ohio is considering legalizing fireworks. If so, can the City regulate the fireworks under Home Rule?

Complimented the Safety Director on the efforts during the protests.

Commented that Parma should be controlling the wearing of masks.

Asked if the drainpipe in Ridgewood Lakes has ever been cleaned or looked at?

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Asked the Service Director to discuss Mr. Reifschneider's issues. Asked Council to meet him after the meeting to pick up their bags with cleaning supplies.

Safety Director Weinreich – No comment.

Service Director Higgins – Stated Ridgewood Lakes is being studied from Regional Sewer District as part of the 300-acre Water Shed. Stated there are plans, hopefully next year or the

year after, for improvements along with the spillway.

Auditor Day – No comment.

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Law Director Dobeck – No comment.

Councilwoman Lime – Stated that the proposed bill legalizing fireworks in the House has a provision to allow Home Rule for Municipalities. Is not in favor of legalizing them.

Councilwoman Saban – Commented on Fireworks. Had issues in her area as well.

Councilman Brochetti - No comment.

Councilman Casselberry – No comment.

Councilman Dipierro – No comment.

Councilman Divis – Congratulated the Andrew Boyko Scholarship winners.

Councilman Jech – No comment.

Councilwoman Kohar – Commented on Fireworks. Had issues in her area as well.

Mr. Brennan – Stated the Parma Script Sign will be back on Wednesday. It was removed to be repainted and touched up.

Commented on Fireworks.

REPORT ON ABSENT OFFICIALS

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

ADJOURNMENT

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adjourn said meeting at 8:03 P.M. 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, July 6, 2020.

Kenneth A. Ramser KENNETH A. RAMSER CLERK OF COUNCIL /s/ Sean P. Brennan SEAN P. BRENNAN PRESIDENT OF COUNCIL

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