

MARCH 7, 2016
REGULAR COUNCIL MEETING MINUTES
PARMA COUNCIL CHAMBERS
6:21 P.M.

The Regular Council Meeting was called to order by President Pro Tem Scott M. Tuma presiding:

COUNCIL MEMBERS PRESENT:

ALLAN DIVIS
DEBORAH LIME
LARRY NAPOLI
KRISTIN L. SABAN
SCOTT M. TUMA
BRIAN BROCHETTI
MARK CASSELBERRY
JEFFREY CROSSMAN
VITO DIPIERRO

COUNCIL MEMBER EXCUSED:

SEAN BRENNAN

Ms. Krupicka - 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, Acting Safety Director/Director of Human Resources Thomas Weinreich, Building Commissioner/City Engineer Paul Deichmann, Recreation Commissioner Mickey Vittardi, Chief of Staff Michael Culp, Chief Deputy Clerk of Council Lisa Krupicka

INVOCATION

The Invocation was given by Chief Deputy Clerk of Council Lisa Krupicka.

PLEDGE OF ALLEGIANCE

LEGISLATIVE COMMENT

Gary Konieczka - 3115 Tuxedo Avenue - Talked about first reading for the fireworks display.

Mayor DeGeeter - Mr. Konieczka is here to talk about fireworks display and has had conversations with Councilwoman Saban. He has also had some discussions with our Council President. On Friday, I did speak with the Sponsor of the fireworks legislation, Mr. Brochetti, who agrees with this. The Service Director, Chief of Staff, Recreation Director, Mayor and Council President met to talk about the fireworks protocol. Since this is a Parma Youth Commission project, they are raising the funds. What we will be doing is working to do a substitute legislation that still would go out to bid. We will reduce the amount. The amount before you is up to \$40,000. We will reduce the amount and look to see what date we will do this. We will also be putting in additional whereas clauses that will note that this is in celebration of the 200th Settling of Parma. I have talked with our Fire Chief who will be working with the Youth Commission. Chief will make the recommendation back on which folks to pick.

I know Mr. Konieczka has a fireworks company. We will likely get 3 bids and possibly 4 on this to review. Again, the reading is just on first and we will be doing some changes on the legislation as we go through the process. I am sure we will keep Mr. Konieczka up to speed on what is happening.

Gary Konieczka - When I was talking to the Fire Chief, he was talking about the bid at \$25,000. Anything above \$25,000 has to go out to bid. What I am proposing to City Council tonight, working out a deal to do the Fireworks display for under \$25,000. Including what you are paying for 3 separate entities for the City of Parma, which then would not have to go to bid.

Mr. Tuma - Again, this is not where we go back and forth and debate. This would have been better off in Committee. I would recommend contacting Council President Brennan and speaking with him directly.

Mr. Konieczka - I did. And it was still up in the air. We are located in the City of Parma. I pay City taxes. Just to bring up one point that the Mayor of North Olmsted, had his Bicentennial last year. They did not put theirs up to bid since it was under \$25,000. They supported the fireworks company that was in their City.

Mr. Tuma - That is fine. There is a process that is in place, and I would recommend speaking with whoever is in charge of that process (Service or Safety Director). They will keep you posted.

Councilman Crossman - Is Mr. Brochetti the point person on this?

Mayor DeGeeter - Have Mr. Konieczka email a written proposal to Council President and cc all of us on this so we have something to look at moving forward.

DISPOSAL OF JOURNAL

Mr. Tuma - Stated, we have the Minutes from the Regular Council Meeting held on February 16, 2016. Asked if there were any additions or corrections to these Minutes? Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Notice received from the Ohio Department of Liquor Control for a Transfer of a D2/D2X/D3 permit from Parma Cafe, Inc., DBA Parma Cafe, 5780-82 Ridge Road, 1st Floor to Nussbaum Ventures, LLC, 5780-82 Ridge Road, 1st Floor. Mailed February 18, 2016. Responses must be postmarked no later than March 21, 2016.

Mr. Tuma - Said liquor permit was referred to Ward Council and Safety Director.

Notice received from the Ohio Department of Liquor Control for a Transfer of a D1/D2/D3/D3A/D6 permit from D & S Corp, DBA Moonlite Tavern, 6174 Broadview Road 1st Floor & Basement to D & S Corp., DBA Wall Street Tavern, 5515 Broadview Road. Mailed February 18, 2016. Responses must be postmarked no later than March 21, 2016.

Mr. Tuma - Said liquor permit was referred to Ward Council and Safety Director.

Notice received from the Ohio Department of Liquor Control for a Transfer of a D1/D2/D3/D3A/D6 permit from A & J Pub & Grub, Inc., 3415 Brookpark Road to DDEUCE, LLC., 3415 Brookpark Road. Mailed February 25, 2016. Responses must be postmarked no later than March 28, 2016.

Mr. Tuma - Said liquor permit was referred to Ward Council and Safety Director.

ORDINANCE NO. 30-16 3/7/16 L-30-16
BY: BRIAN BROCHETTI

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE BEST BIDDER FOR THE PURCHASE OF A PYROTECHNICS DISPLAY INCLUDING A LICENSED PYROTECHNIST AND QUALIFIED ASSISTANTS FOR THE CITY OF PARMA'S JULY 4, 2016, FIREWORKS DISPLAY, AND DECLARING AN EMERGENCY

Mr. Tuma - Said Ordinance will be referred to the Finance Committee.

RESOLUTION NO. 31-16 3/7/16 L-31-16
BY: DEBORAH LIME
(By Request - Safety Director)

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A HOLD HARMLESS AND INDEMNIFICATION AGREEMENT FOR POLICE AND FIRE DEPARTMENT TRAINING PURPOSES TO BE CONDUCTED ON PROPERTIES LOCATED ON COVENTRY DRIVE IN THE CITY OF PARMA OWNED BY WEST CREEK PRESERVATION COMMITTEE, AND DECLARING AN EMERGENCY

Mr. Tuma - Said Resolution will be referred to the Public Safety Committee.

ORDINANCE NO. 33-16 3/7/16 L-33-16
BY: SCOTT M. TUMA
(By Request - Building Commissioner)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR THE CUTTING OF HIGH GRASS/WEEDS AND YARD CLEAN-UP IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Tuma - Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 35-16 3/7/16 L-35-16
BY: LARRY NAPOLI, SCOTT M. TUMA
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) THROUGH THE COMMUNITY COST-SHARE PROGRAM FOR THE COVENTRY DRIVE-WEST CREEK IMPERVIOUS SURFACE REMOVAL PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Tuma - Said Ordinance will be referred to the Public Service Committee.

ORDINANCE NO. 36-16 3/7/16 L-36-16

BY: LARRY NAPOLI
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE DEMOLITION OF STRUCTURES LOCATED AT 2406, 2415, AND 2416 COVENTRY DRIVE IN THE CITY OF PARMA, ON BEHALF OF WEST CREEK PRESERVATION COMMITTEE, AND DECLARING AN EMERGENCY

Mr. Tuma - Said Ordinance will be referred to the Finance Committee.

ORDINANCE NO. 39-16 3/7/16 L-39-16

BY: SCOTT M. TUMA
(By Request - Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR THE LEASE/PURCHASE OF FOUR (4) 2016 CHEVROLET IMPALA'S AT THE STATE PROCUREMENT PRICE FOR THE PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

Mr. Tuma - Said Ordinance will be referred to the Finance Committee.

SECOND READING:

ORDINANCE NO. 18-16 2/16/16 L-18-16

BY: DEBORAH LIME
(By Request - Safety Director)

AN ORDINANCE TO AMEND SECTIONS 660.22 "EXTERIOR PROPERTY AREAS; PENALTY"; 1705.99 "PENALTY"; AND 1707.10 "NOXIOUS WEEDS AND GRASS; LITTER" 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. 18-16 back to the Public Safety Committee. Motion carried.

ORDINANCE NO. 27-16 2/16/16 L-27-16

BY: DEBORAH LIME
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH TAC COMPUTER, INC. FOR A TWO (2) YEAR PERIOD FOR ANNUAL MAINTENANCE SUPPORT FOR RECORDS MANAGEMENT SYSTEM,

COMPUTER AIDED DISPATCH AND MOBILE REPORTING FOR THE
COMMUNICATIONS CENTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to refer Ordinance No. 27-16 back to the Finance Committee. Motion carried.

THIRD READING:

RESOLUTION NO. 12-16 2/1/16 L-12-16
BY: SCOTT M. TUMA
(By Request - Service Director)

A RESOLUTION TO EXEMPT CERTAIN PARCELS OF LAND FROM SPECIAL
ASSESSMENTS FOR STREET LIGHTS, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to adopt Resolution No. 12-16.

Yes: Divis, Lime, Napoli, Saban, Tuma, Brochetti, Casselberry, Crossman, Dipierro
No: None; Resolution No. 12-16 is adopted.

RESOLUTION NO. 13-16 2/1/16 L-13-16
BY: SCOTT M. TUMA
(By Request - City Engineer)

A RESOLUTION TO EXEMPT CERTAIN PARCELS OF LAND, UPON
MEETING CERTAIN CRITERIA, FROM SPECIAL ASSESSMENTS FOR THE
MAINTENANCE OF SANITARY SEWERS, STORM SEWERS, AND WATER
MAINS, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to adopt Resolution No. 13-16.

Yes: Divis, Lime, Napoli, Saban, Tuma, Brochetti, Casselberry, Crossman, Dipierro
No: None; Resolution No. 13-16 is adopted.

ORDINANCE NO. 15-16 2/1/16 L-15-16
BY: DEBORAH LIME, ALLAN DIVIS, LARRY NAPOLI, KRISTIN L. SABAN,
SCOTT M. TUMA, BRIAN BROCHETTI, MARK CASSELBERRY,
JEFFREY CROSSMAN, VITO DIPIERRO
(By Request - Safety Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO
ENTER INTO A RENEWAL LICENSE AGREEMENT WITH THE PARMA
ANIMAL SHELTER, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilman Napoli to adopt Ordinance No. 15-16.

Yes: Divis, Lime, Napoli, Saban, Tuma, Brochetti, Casselberry, Crossman, Dipierro
No: None; Ordinance No. 15-16 is adopted.

SUSPENSION OF THE RULES:

Mr. Tuma - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 34-16, Resolution No. 37-16 and Ordinance No. 38-16 on three different days be dispensed with?

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

No: None; Motion carried.

Mr. Tuma - Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 34-16, Resolution No. 37-16 and Ordinance No. 38-16 be placed on final passage?

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

No: None; Motion carried.

RESOLUTION NO. 34-16 3/7/16 L-34-16

BY: KRISTIN L. SABAN, ALLAN DIVIS, DEBORAH LIME, LARRY NAPOLI,
SCOTT M. TUMA, BRIAN BROCHETTI, MARK CASSELBERRY,
JEFFREY CROSSMAN, VITO DIPIERRO
(By Request - Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO
INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL
NUMBER 444-04-094, 3322 TUXEDO AVENUE, PARMA, OHIO, AND
DECLARING AN EMERGENCY

Councilwoman Saban - Stated that regarding this property, it is in Ward 4 and in terrible shape. The yards around this property are very well kept and this house has holes where the siding and brick meet. Gutters are coming down and windows are missing. It is very bad shape.

Motion made by Councilman Casselberry seconded by Councilman Divis to adopt Resolution No. 34-16.

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

No: None; Resolution No. 34-16 is adopted.

RESOLUTION NO. 37-16 3/7/16 L-37-16

BY: SCOTT 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

Councilwoman Lime - Asked the Service Director about the \$360 from 10/7/14 for the Arborist recertification.

Service Director Higgins - Yes, we had 2 of our people get recertified as Arborist's in October of 2014. We had a purchase order at that time for the cost. Company never sent us a bill and we never paid them. Through their auditing process they realized they never invoiced us so they invoiced us and we need to pay that bill. The other one that I would like to talk about is from 2014. One is a hydrant and thanks to the Law Department, I have a copy of the check that was reimbursed for that bill.

Councilwoman Lime - Who are the two certified Arborists?

Service Director Higgins - Andy Edwards and Jeff Howe.

Councilwoman Lime - OK and has their recertification been done again so we should expect another bill in 2017 for services from 2015?

Service Director Higgins - I am not sure how often they need to recertify. I did not send them to school last year so you should not be seeing a bill.

Councilman Crossman - There are a couple \$10,000 charges on these post certs. If someone could address those? One looks like a comm center charge and the other a treatment charge from the courts.

Acting Safety Director Weinreich - The Comm Center is for legal fees attending to the notes that were issued.

Law Director Dobeck - Those are the legal fees for the issuants costs for the renewal of the note for the Comm Center.

Auditor Day - I know that Matt Talbot is an addiction recovery institution. So it has to do with folks of the courts receiving treatment.

Law Director Dobeck - I really cannot clarify anymore. That is exactly what it is. Sometimes these are indigent defendants and sometimes they are not and get reimbursed by the court. I know we had one just recently with Councilwoman Lime that took about a year and half but we did ensure that there was reimbursement of those funds.

Councilman Crossman - That is why I asked. Are these reimbursable expenses?

Mr. Tuma - The Law Director will look into that.

Motion made by Councilman Casselberry seconded by Councilman Napoli to adopt Resolution No. 27-16.

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

No: None; Resolution No. 27-16 is adopted.

ORDINANCE NO. 38-16

3/7/16

L-38-16

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

AN ORDINANCE TO AMEND THE 2016 TEMPORARY APPROPRIATIONS OF
THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Councilwoman Lime - A question for the Auditor. We have a temporary appropriations, I am just asking why we would need to appropriate more money within the utility accounts.

Auditor Day - When we do the temporary appropriations we do them conservatively. They all will be covered by the permanent appropriations. The funds will all be there. Especially as we are running into March here, this is where we need to take a look and not be so conservative. We do conservatively budget those temporary appropriations. The funds will all be available.

Motion made by Councilman Casselberry seconded by Councilwoman Lime to adopt Ordinance No. 38-16.

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

No: None; Ordinance No. 38-16 is adopted.

PUBLIC SESSION

No One Wished to Speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter - Hope to see everyone at the Annual PAAF reverse raffle on Thursday.

Acting Safety Director Weinreich - Thank you to Council for action on 15-16 for the Animal Shelter.

Service Director Higgins - No Comment

Auditor Day - No Comment

Law Director Dobeck - Thank you to the Mayor for the prompt notification about the Chief's wife last week. Wishing the Chief all the prayers we can offer on the loss of his wife.

Mayor DeGeeter - I did speak with the Chief and he did want me to thank everyone at City Hall and pass that along.

Treasurer Mastroianni - No Comment

Councilman Divis - No Comment

Councilwoman Lime - No Comment

Councilman Napoli - Touching week for a lot of people and I know that Sean is battling something with his wife and hopefully that works out OK.

Councilwoman Saban - No Comment

Councilman Brochetti - No Comment

Councilman Casselberry - No Comment

Councilman Crossman - No Comment

Councilman Dipierro - No Comment

Councilman Tuma - Extend our blessings to Sean's wife. Hoping for a speedy recovery. Extend our sympathies to Chief Miller and his family. They are all in our thoughts and prayers.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Casselberry seconded by Councilwoman Lime to excuse Council President Brennan. Motion carried.

ADJOURNMENT

Motion made by Councilman Crossman seconded by Councilman Casselberry to adjourn said meeting at 6:53 P.M. Motion carried.

CERTIFICATION

I, Kenneth A. Ramsér, 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, March 7, 2016.

/s/ Kenneth A. Ramsér

KENNETH A. RAMSER
CLERK OF COUNCIL

/s/ Scott M. Tuma

SCOTT M. TUMA
PRESIDENT PRO TEM

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