

**MINUTES
FEBRUARY 19, 2019
PARMA CITY COUNCIL MEETING
7:03 PM**

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

COUNCIL MEMBERS PRESENT: ALLAN DIVIS
 ROY J. JECH
 DENNIS M. KISH
 DEBORAH LIME
 KRISTIN L. SABAN
 BRIAN BROCHETTI
 MARK CASSELBERRY
 VITO DIPIERRO

COUNCIL MEMBER EXCUSED: LARRY NAPOLI

Ms. Beeble – 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 Thomas Mastroianni, Service Director Brian Higgins, Building Commissioner Paul Deichmann, Assistant Building Commissioner Don Graves, Recreation Commissioner Mickey Vittardi, Economic Development Officer Shelley Cullins, Community Development Director Erik Tollerup, Communications and Community Relations Director Carolyn Kovach, Director of Human Services Renee Guy, Director of Public Housing Priscilla Pointer-Hicks and Chief Deputy Clerk of Council Lisa Beeble.

INVOCATION

The Invocation was given this evening by Chief Deputy Clerk of Council Lisa Beeble.

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 13-19 2/19/19 L-13-19
BY: **R.J. JECH**, B. BROCHETTI, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, D.M. KISH,
D. LIME, L. NAPOLI, K.L. SABAN

A RESOLUTION HONORING ST. COLUMBKILLE LADY KNIGHTS VOLLEYBALL
TEAM – DIVISION I – CITY CHAMPIONSHIP

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 13-19. Motion carried.

The coaches came forward and accepted the Resolutions, Proclamation, and Certificates for the children who were unable to attend due to a previous commitment.

RESOLUTION NO. 27-19

2/19/19

L-27-19

BY: **B. BROCHETTI**, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, R.J. JECH,
D. LIME, L. NAPOLI, K.L. SABAN

A RESOLUTION HONORING JUDGE TERRENCE O'DONNELL ON HIS RETIREMENT FROM THE OHIO SUPREME COURT

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 27-19. Motion carried.
The Resolution will be presented on March 2nd at the Parma Bar Associations Dinner.

EXECUTIVE SESSION FOLLOWED BY VOICE VOTE ON FACT FINDER REPORT

Mr. Brennan stated that we have a request from the Safety Director for an Executive Session relative to OPBA Dispatchers Fact Finder Report. Stated a “yes” vote will be to go into Executive Session, a “no” vote will to not go into Executive Session.

Yes: Divis, Jech, Kish, Lime, Saban, Brochetti, Casselberry, Dipierro

No: None; Motion carried. Council went into Executive Session from 7:15 PM until 7:55 PM.

Mr. Brennan stated that there is a question on the floor if Council will accept the Fact Finders report.

Yes: None.

No: Divis, Jech, Kish, Lime, Saban, Brochetti, Casselberry, Dipierro; Motion fails. The Council rejected it.

LEGISLATIVE COMMENTS

Mr. Brennan asked if there was anyone from the public who wanted to make any comments on what is tentatively going to be passed tonight? No one came forward.

DISPOSAL OF THE JOURNAL

Mr. Brennan stated that we have the Minutes of the Regular Council Meeting of February 4, 2019. He asked if there were any additions or corrections to the Minutes? He stated, hearing none, these Minutes will stand as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Mr. Divis - Mr. Chairman, the Planning Committee of Council met on Monday, February 19, 2019, to discuss the Notice of Proposal to Vary for the Applicant Joseph Colini, 5341 Pearl Rd, PPN 443-23-029 & 031.

The request is for a “Variance of the City of Parma Codified Ordinances of Section 1170.03 – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF PERMITTED BUILDINGS AND USES.” The proposal is to operate a church in an existing building located in retail business district at 5341 Pearl Road. Churches are not included in permitted buildings and uses in Commercial/Office Districts schedule. Churches are only permitted in Single Family Districts. This variance would result in allowing use of building in Retail Business District for a church. Included in this recommendation are the Engineer’s comments:

1. The Applicant is requesting to operate a church in a Retail Business District. The Council person has been made aware of this Application.
2. The Council person would prefer to see a use that creates more economic development. Unfortunately having a church operate in a Retail building does not generate that type of economic development or income that the City needs to have a thriving Retail Business District.
3. Granting this “Use” variance would be contrary to what the City and City Council wants and for that reason the Engineering Department recommends denying the variance application.

The Board of Zoning Appeals recommended to grant the variance, however the Planning Committee of Council chose to over-ride their recommendation.

Motion made by Councilman Divis, seconded by Councilman Casselberry, to DENY the Variance as recommended by the Planning Committee of Council. Motion carried.

Communication received from the Ohio Division of Liquor Control for a C1 and C2 Liquor Permit for Family Dollar of Ohio, Inc. Db a Family Dollar Store 27686, 10409 W. Pleasant Valley Rd., Parma, Ohio, 44130. This permit will be referred to the Safety Director and Ward Council.

FIRST READING:

ORDINANCE NO. 31-19

2/19/19

L-31-19

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

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CUYAHOGA COUNTY AND THE CITY OF PARMA FOR THE WIDENING OF SPRAGUE ROAD INCLUDING NEW SANTARY SEWERS AND A WATER LINE BETWEEN YORK ROAD AND WEBSTER ROAD, AND DESIGN/CONSTRUCTION ASSISTANCE FOR THE PORTION BETWEEN W. 130TH STREET AND YORK ROAD IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan – This Ordinance shall be referred to the Finance Committee.

SECOND READING:

ORDINANCE NO. 22-19

2/4/19

L-22-19

BY: D. LIME
(By Request – Mayor)

AN ORDINANCE TO AMEND SUBSECTION 1519.02(b) IN SECTION 1519.02 “APPLICATION OF CHAPTER” 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. 22-19 back to the Public Safety Committee. Motion carried.

THIRD READING:

ORDINANCE NO. 241-18

12/17/18

L-241-18

BY: B. BROCHETTI, D. LIME, M. CASSELBERRY, R.J. JECH, K.L. SABAN, A. DIVIS
(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) FOR THE CATCH BASIN REPAIR AND RECONSTRUCTION PROGRAM THROUGH THE COMMUNITY COST-SHARE PROGRAM IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilwoman Lime to amend Ordinance No. 241-18 by completing Section 1 to fill in the blanks to read “Konstruction King” at the bid price of \$584,750.00”. Additionally, attach Exhibit “A” to the legislation and waive Rule 52. Motion carried.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt amended Ordinance No. 241-18 on Third Reading.

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

No: None; Amended Ordinance No. 241-18 is adopted.

ORDINANCE NO. 242-18

12/17/18

L-242-18

BY: B. BROCHETTI, D. LIME, M. CASSELBERRY, R.J. JECH, K.L. SABAN, A. DIVIS
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE 2019 CATCH BASIN REPAIR AND RECONSTRUCTION PROGRAM, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilwoman Lime to amend Ordinance No. 242-18 by completing Section 1 to fill in the blanks to read “Konstruction King” at the bid price of \$584,750.00” and also waive Rule 52. Motion carried.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt amended Ordinance No. 242-18 on Third Reading.

Yes: Divis, Jech, Kish, Lime, Saban, Brochetti, Casselberry, Dipierro.
No: None; Amended Ordinance No. 242-18 is adopted.

RESOLUTION NO. 7-19

1/22/19

L-7-19

BY: D. LIME, R.J. JECH, K.L. SABAN, B. BROCHETTI, M. CASSELBERRY, A. DIVIS
(By Request – Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER 453-41-012, 1410 DAVID AVENUE, PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 7-19.

Yes: Divis, Jech, Kish, Lime, Saban, Brochetti, Casselberry, Dipierro.
No: None; Resolution No. 7-19 is adopted.

ORDINANCE NO. 9-19

1/7/19

L-9-19

BY: B. BROCHETTI
(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 2019-2020 CWD BACKFILL PAVEMENT REPAIR PROGRAM, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilman Casselberry to amend Ordinance No. 9-19 by completing Section 1 to fill in the blanks to read “Set In Stone” at the bid price of \$537,412.50. Also moved to waive Rule 52. Motion carried.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt amended Ordinance No. 9-19.

Yes: Divis, Jech, Kish, Lime, Saban, Brochetti, Casselberry, Dipierro.
No: None; Amended Ordinance No. 9-19 is adopted.

ORDINANCE NO. 10-19

1/7/19

L-10-19

BY: B. BROCHETTI
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR EQUIPMENT AND GENERAL PAVEMENT SERVICES, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilman Casselberry to amend Ordinance No. 10-19 by completing Section 1 to fill in the blanks to read "Crossroads Asphalt Recycling, Inc." at the bid price per the attached schedule on file. Also moved to waive Rule 52. Motion carried.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt amended Ordinance No. 10-19.

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

No: None; Amended Ordinance No. 10-19 is adopted.

ORDINANCE NO. 15-19 1/22/19 L-15-19

BY: D. LIME, K.L. SABAN, B. BROCHETTI, M. CASSELBERRY, A. DIVIS

AN ORDINANCE TO AMEND SECTION 1501.36 "REGISTRATION AND INSPECTION REQUIREMENTS INCLUDING DISCLOSURE OF ALL CONTRACTORS" OF CHAPTER 1501 "ADMINISTRATION" IN PART 15 "BUILDING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 15-19.

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

No: None; Ordinance No. 15-19 is adopted.

RESOLUTION NO. 17-19 1/22/19 L-17-19

BY: B. BROCHETTI
(By Request – Service Director)

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE CUYAHOGA COUNTY SOLID WASTE MANAGEMENT DISTRICT FROM 2019-2023, IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 17-19.

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

No: None; Resolution No. 17-19 is adopted.

ORDINANCE NO. 24-19 1/22/19 L-24-19

BY: M. CASSELBERRY, A. DIVIS, R.J. JECH, B. BROCHETTI
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR REIMBURSEMENT OF EXPENDITURES FOR NEW PLAYGROUND EQUIPMENT AT MICHAEL A. RIES PARK IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti, seconded by Councilman Casselberry to amend Ordinance No. 24-19 by completing Section 3 to read "Fund No. 405-405 Capital Improvements Account No. 43002-02419 and to correct the spelling of "Ries" in the body. Also moved to waive Rule 52. Motion carried.

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt amended Ordinance No. 24-19.

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

No: None; Amended Ordinance No. 24-19 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 30-19, Ordinance No. 32-18 and Ordinance No. 33-19 on three different days be dispensed with?

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

Mr. Brennan - Shall Rule 45 requiring reference to Committee be dispensed with and Resolution No. 30-19, Ordinance No. 32-18, and Ordinance No. 33-19 be placed on final passage?

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

RESOLUTION NO. 30-19

2/19/19

L-30-19

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 Councilwoman Lime, seconded by Councilman Casselberry to adopt Resolution No. 30-19.

Yes: Divis, Jech, Kish, Lime, Saban, Brochetti, Casselberry, Dipierro.
No: None; Resolution No. 30-19 is adopted.

ORDINANCE NO. 32-19

2/19/19

L-32-19

BY: B. BROCHETTI
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2019 TEMPORARY APPROPRIATIONS OF THE CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 32-19.

Yes: Divis, Jech, Kish, Lime, Saban, Brochetti, Casselberry, Dipierro.
No: None; Ordinance No. 32-19 is adopted.

ORDINANCE NO. 33-19

2/19/19

L-33-19

BY: K.L. SABAN, R.J. JECH, D. LIME, B. BROCHETTI, M. CASSELBERRY, A. DIVIS
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR BROADVIEW ROAD (SR176) TO BE ACCOMPLISHED AS AN ODOT LET LPA PROJECT, INCLUDING THE MILLING OF EXISTING ASPHALT AND REPLACEMENT, FULL AND PARTIAL DEPTH PAVEMENT REPAIRS, UTILITY CASTING ADJUSTMENTS, ADA COMPLIANT CURB RAMPS, LANDINGS AND PAVEMENT MARKINGS, IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to adopt Ordinance No. 33-19.

Yes: Divis, Jech, Kish, Lime, Saban*, Brochetti, Casselberry, Dipierro.
No: None; Ordinance No. 33-19 is adopted.

*Councilwoman Saban stated that she is excited!

APPOINTMENTS AND CONFIRMATIONS

There were no appointments and no confirmations.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Mentioned the West Creek Project that was in the paper that he needs information regarding.

Service Director Higgins – Mentioned that Saturday is his birthday.

Councilman Divis – Wished Service Director a happy birthday.

Councilman Jech – Informed everyone about the “New Day Cleveland” program about Parma’s restaurants. Wished Service Director a happy birthday.

Councilman Kish – No comment.

Councilwoman Lime – Discussed New Day Cleveland program and wished Service Director a happy birthday.

Councilwoman Saban – Discussed the Mayor and she took a Resolution to a woman in her ward on her 101th Birthday.

Councilman Brochetti – Wished Service Director a happy birthday.

Councilman Casselberry – Wished Service Director a happy birthday.

Councilman Dipierro – No comment.

REPORT ON ABSENT OFFICIALS

Motion made by Councilwoman Lime, seconded by Councilman Casselberry to excuse Councilman Napoli from tonight’s meetings. Motion carried.

ADJOURNMENT

Motion made by Councilman Brochetti, seconded by Councilman Casselberry to adjourn meeting at 8:21 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 Tuesday, February 19, 2019.

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

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