

**MINUTES  
MARCH 2, 2020  
REGULAR COUNCIL MEETING  
PARMA COUNCIL CHAMBERS  
7:00 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
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COUNCIL MEMBER EXCUSED:	LARRY NAPOLI
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Mr. Ramser – Mr. Chairman, 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, Chief Assistant Law Director Tim Miller, Auditor Brian Day, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Thomas Weinreich, Recreation Commissioner Mickey Vittardi, Community Development Director Erik Tollerup, 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

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**PLEDGE OF ALLEGIANCE**

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**LEGISLATIVE COMMENT**

No one wished to speak.

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**DISPOSAL OF JOURNAL**

Mr. Brennan – Stated, you have before you the Minutes from the Regular Council Meeting held on February 18, 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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Notice from the Ohio Division of Liquor Control for a transfer of a C1, C2 Permit from Zoey & Khloey Family LLC, dba Deli 4 Less, 7893 W. 130th Street, Parma, Ohio 44130. To Best Enterprise LTD, 7893 W. 130th Street, Parma, Ohio 44130. Mailed February 20, 2020. Responses must be postmarked no later than March 23, 2020.

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

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Mr. Ramser read the following proposals into the record:

PROPOSAL TO VARY  
Jim Mataich & John Emil, LLC  
Property at 5444 Pearl Rd.  
March 23, 2020

The Parma Board of Zoning Appeals met on Tuesday, February 11, 2020 and PROPOSED TO "VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE Applicant Jim Mataich & John Emil, LLC, 5444 Pearl Rd., 44129 for property at 5452 Pearl Rd. PPN is 442-18-021.

After discussion Mr. Ziefle made the following recommendation:

"I make a motion to recommend to Council to grant to Jim Mataich & John Emil who have requested an "Use" variance of the City of Parma Codified Ordinances of Section 1170.03(F)(3) – COMMERCIAL/OFFICE DISTRICTS – SCHEDULE OF PERMITTED BUILDINGS AND USES. The proposal is to open an Amusement/Entertainment business at 5452 Pearl Rd. (Battle Axe Café). Amusement/Entertainment business not indicated as permitted use in Retail Business Area. This variance would result in allowing for amusement/entertainment business in Retail Business District not shown as permitted in Zoning Code. PPN is 442-18-021. There is a stipulation with this variance that the back door is for emergency exit only. The hours of operation are: Sunday, Monday, Tuesday, Wednesday, and Thursday from 10 o'clock a.m. until 11 o'clock p.m. On Friday and Saturday hours of operation are from 10 o'clock a.m. until 1 (one) o'clock a.m. By granting this variance the property would not suffer substantial detriment, by granting this variance the neighborhood would not be substantially altered and by granting this variance the intent of the Zoning/Building requirements would be observed."

Mr. Mastrobuono second the motion. Mr. Ziefle, Mrs. Green, Mr. Mastrobuono, and Mr. O'Connor voted yes.

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Mr. Brennan – Said Variance will be referred to the Planning Committee.

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PROPOSAL TO VARY  
Bernardino & Marlena Graziano  
Property at 7513-7515 Jameson Road  
March 23, 2020

The Parma Board of Zoning Appeals met on Tuesday, February 11, 2020 and PROPOSED TO "VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE Applicant Bernardino & Marlena Graziano, 11001 Shaker Dr., North Royalton, OH 44133 for property located at 7513-7515 Jameson Rd. PPN is 443-05-012.

After discussion Mr. Mastrobuono made the following recommendation:

"I make a motion to recommend to Council to grant to Bernardino & Marlena Graziano, 11001 Shaker Dr., North Royalton, OH 44133 have requested an "AREA" variance of the City of Parma Codified Ordinances of Section 1153.02 – SINGLE-FAMILY HOUSE DISTRICTS-PRINCIPAL USES AND BUILDINGS. The proposal is to allow for rebuilding of 2-family structure in Single-Family Zoning if destroyed for property at 7513-7515 Jameson Rd. 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 for rebuilding of 2-family residence in Single-Family Zoning district. The PPN is 443-05-012. The reason to granting is the essential character of the neighborhood would not be substantially altered and the spirit and intent behind the Zoning/Building requirements would be observed and substantial justice done by granting this variance.

Mr. Ziefle second the motion. Mr. Ziefle, Mrs. Green, Mr. Mastrobuono and Mr. O'Connor voted yes.

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Mr. Brennan – Said Variance will be referred to the Planning Committee.

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PROPOSAL TO VARY  
Kimberly Kerber  
Property at 7045 Ridge Rd.  
March 23, 2020

The Parma Board of Zoning Appeals met on Tuesday, February 11, 2020 and PROPOSED TO "VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE Applicant Kimberly Kerber, PE, Mackay Engineering & Surveying Co., 7017 Pearl Rd., Middleburg Hts., 44130 for property at 7045 Ridge Road (lots will front on Sun Vista Drive. PPN is 450-19-004 & 001

After discussion Mrs. Green made the following recommendation:

"I make a motion to recommend to Council to grant to Kimberly Kerber, PE for Mackay Engineering & Surveying Co., 7017 Pearl Rd., Middleburg Heights 44130 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1187.01 (a) – AREA REGULATIONS – AREA DISTRICT REGULATIONS. The proposal is to create 4 parcels for single-family homes for property located at 7045 Ridge Road (lots will front on Sun Vista Drive). Minimum lot size required by Code with sanitary sewer (Zoning SF AA 1): 75' wide x 160' deep and 12,000 sq. ft. in area. The proposed minimum lot size for 4 new parcels is 86' x 141'. This variance would result in allowing 4 new parcels to be 19' less lot depth. PPN is 450-19-004 & 001. To grant this variance the character of the neighborhood would not be substantially altered and we should approve it".

Mr. Ziefle second the motion. Mr. Ziefle, Mrs. Green, Mr. Mastrobuono and Mr. O'Connor voted yes.

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case

the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Mr. Brennan – Said Variance will be referred to the Planning Committee.

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PROPOSAL TO VARY  
Michael Gerson of Shannonwood Homes  
Property at 7711 W. 130 St.  
March 23, 2020

The Parma Board of Zoning Appeals met on Tuesday, February 11, 2020 and PROPOSED TO VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE Applicant Michael Gerson of Shannonwood Homes, 1635 Wood Rd., Cleveland Hts., OH 44121 for property at 7711 W. 130 St. PPN is 457-13-009.

After discussion Mr. Mastrobuono made the following recommendation:

"I make a motion to recommend to Council to grant to Michael Gerson of Shannonwood Homes, 1635 Wood Rd, Cleveland Hts., 44121 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(a) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS. The proposal is to erect second garage on residential property at 7711 W. 130 St. Maximum size garage allowed on one lot shall not exceed a total floor area of 800 sq. ft. and only one garage is permitted per lot. Garage size allowed on lot size of 40,600 sq. ft. is 800 sq. ft. The Applicant is requesting a second detached garage. The existing garage is 400 sq. ft. The proposed second garage will be 748 sq. ft. for a total garage area of 1,148 sq. ft. This variance would result in allowing for second garage and 348 more sq. ft. in area than allowed by Code. The PPN is 457-13-009. The essential character of the neighborhood would not be substantially altered, and adjoining properties would not suffer a substantial detriment and the spirit and intent of the Zoning/Building requirements would be observed and substantial justice done by granting this variance. The engineer's comments/observations substantiate reasons for granting this variance: The applicant is proposing to construct a 13' tall, 22' x 34' detached garage behind the house to store a car collection. The property owner has an existing garage that is attached to the house. The property is larger than the average property in Parma. The applicant also has an old shed that is going to be demolished. In recent years this Board has approved second garage (outbuilding) on larger lots. It is recommended the Board only grant this request if it is determined not to be out of character with the neighborhood. Several neighbors also have a second garage or larger outbuildings. Granting the variance would not likely be out of character with the neighborhood".

Mr. Ziefle second the motion. Mr. Ziefle, Mrs. Green, Mr. Mastrobuono and Mr. O'Connor voted yes.

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Mr. Brennan – Said Variance will be referred to the Planning Committee.

PROPOSAL TO VARY  
Michael Cervelli  
Property at 2714 Grantwood Dr.  
March 23, 2020

The Parma Board of Zoning Appeals met on Tuesday, February 11, 2020 and PROPOSED TO "VARY, subject to the provisions of amended Ordinance 1127 .13 (confirmation or rejection by Council within forty days of the receipt of this notice) FOR THE Applicant Michael Cervelli of 2714 Grantwood Drive 44134. PPN is 446-13-062.

After discussion Mr. Mastrobuono made the following recommendation:  
"I make a motion to recommend to Council to Grant to Michael R. Cervelli, 2714 Grantwood Drive, 44134 has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(a) – SINGLE FAMILY HOUSE DISTRICTS-ACCESSORY USES AND BUILDINGS. The proposal is to erect second garage on residential property at 2714 Grantwood Dr. Maximum size garage allowed on one lot shall not exceed a total floor area of 800 sq. ft. and only 1 garage is permitted per lot. Garage size allowed on lot size of 22,822 sq. ft. is 800 sq. ft. The proposed second detached garage will be 616 sq. ft. The existing garage is 800 sq. ft. for a total garage area of 1,416 sq. ft. The variance would result in allowing for second garage and 616 more sq. ft. than allowed by Code. The PPN is 446-13-062. There is a stipulation with this variance is that the shed be torn down as soon as the new garage is complete. The essential character of the neighborhood would not be substantially altered, the variance will not adversely affect any property in the area and the spirit and intent of the Zoning/Building requirements would be observed and substantial just done by granting this variance.

Mr. Ziefle second the motion. Mr. Ziefle, Mrs. Green, Mr. Mastrobuono and Mr. O'Connor voted yes.

A variance once granted shall not be withdrawn or changed unless there is a change of circumstances, or if, after the expiration of six months, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, in which case the Building Commissioner shall give a notice in writing and thirty days thereafter the variance shall be deemed null and void and all regulations governing such premises in question shall revert to those in effect before the variance was granted.

Mr. Brennan – Said Variance will be referred to the Planning Committee.

**INTRODUCTION OF ORDINANCES AND RESOLUTIONS:  
FIRST READING:**

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

ORDINANCE NO. 34-2020    3/2/2020    L-34-2020

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO  
SUBMIT THE FY 2020-2024 CONSOLIDATED PLAN AND THE FY 2020  
ANNUAL PLAN TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
AS AN ENTITLEMENT COMMUNITY WITHIN THE COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) PROGRAM, AND DECLARING AN EMERGENCY

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

**SECOND READING:**

ORDINANCE NO. 21-2020    2/18/2020    L-21-2020

BY: V. DIPIERRO  
(By Request – Community Services Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO TRANSFER, BY QUIT CLAIM DEED, THE CITY-OWNED VACANT, INDUSTRIAL LAND LOCATED OFF INCINERATOR DRIVE AND W. 130<sup>TH</sup> STREET (PERMANENT PARCEL NUMBER 441-03-001) TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION (PCIC), AND DECLARING AN EMERGENCY

Motion made by Councilman Divis seconded by Councilman Casselberry to refer Ordinance No. 21-2020 back to the Planning Committee. Motion carried.

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ORDINANCE NO. 24-2020    2/18/2020    L-24-2020

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

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH CLEVELAND COMMUNICATIONS, SOLE SOURCE PROVIDER FOR HARRIS RADIO EQUIPMENT, FOR PREMIUM TECH SUPPORT AND SOFTWARE FX, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to refer Ordinance No. 24-2020 back to the Finance Committee. Motion carried.

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ORDINANCE NO. 25-2020    2/18/2020    L-25-2020

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

AN ORDINANCE AUTHORIZING THE CITY OF PARMA TO PROCEED AND APPROPRIATE SANITARY SEWER EASEMENTS AND CONSTRUCTION EASEMENTS IN CERTAIN REAL PROPERTIES KNOWN AS PERMANENT PARCEL NUMBERS 445-15-001, 445-15-002, 445-15-003, 445-15-004, 445-15-006, 445-15-008, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 25-2020 back to the Environmental Standards Committee. Motion carried.

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**THIRD READING**

RESOLUTION NO. 12-2020    2/3/2020    L-12-2020

BY: D. LIME  
(By Request – City Engineer)

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF PARMA TO APPROPRIATE TO PUBLIC USE A FEE SIMPLE ABSOLUTE INTEREST





**REPORT ON ABSENT OFFICIALS**

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

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**ADJOURNMENT**

Motion made by Councilman Jech seconded by Councilman Casselberry to adjourn said meeting at 7:26 P.M. Motion carried.

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**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, March 2, 2020.

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

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

MINUTES COMPLETED ON MARCH 3, 2020

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