

**MINUTES  
NOVEMBER 8, 2021  
REGULAR COUNCIL MEETING  
PARMA COUNCIL CHAMBERS  
7:03 P.M.**

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

COUNCIL MEMBERS PRESENT:	VITO DIPIERRO ALLAN DIVIS ROY J. JECH LINDA A. KOHAR DEBORAH LIME LARRY NAPOLI KRISTIN L. SABAN KAMMY SHUMAN MARK CASSELBERRY
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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, Law Director Timothy G. Dobeck, Chief Deputy Auditor Mark Prok, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Tom Weinreich, Building Commissioner Paul Deichmann, City Engineer Hasmukh Patel, Communications and Community Relations Director Carolyn Kovach, Recreation Commissioner Mickey Vittardi, Director of Human Resources Renee Guy, 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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**VOICE VOTE:**

	RESOLUTION NO. 195-21	11/8/21
BY:	<b>L. NAPOLI</b> , M. CASSELBERRY, V. DIPIERRO, A. DIVIS, R. J. JECH, L. A. KOHAR, D. LIME, K. L. SABAN, K. SHUMAN	

A RESOLUTION HONORING VALERIE CHAMBERS  
2021 COACH OF THE YEAR – GIRLS YOUTH VOLLEYBALL

Motion made by Councilman Jech seconded by Councilman Napoli to adopt Resolution No. 195-21. Motion carried. The Resolution will be presented at a later date.

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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 October 18, 2021, Regular Council Meeting. 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**

Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Standard Wellness for property at 5793 Pearl Road. The request is for a "Use" Variance of Section 1170.03 Commercial/Office Districts – Schedule of Permitted Buildings and Uses.

Motion made by Councilman Divis seconded by Councilman Casselberry to Deny the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Pete Nischt for property at 5515 Pearl Road. The request is for a "Use" Variance of Section 1170.03 Commercial/Office Districts – Schedule of Permitted Buildings and Uses.

Motion made by Councilman Divis seconded by Councilman Casselberry to grant the Variance, with Stipulations, as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Pete Nischt for property at 6900 Ridge Road. The request is for a "Use" Variance of Section 1170.03 Commercial/Office Districts – Schedule of Permitted Buildings and Uses.

Motion made by Councilman Divis seconded by Councilman Casselberry to grant the Variance, with Stipulations, as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Richard Turner for property at 6630 Ridge Road. The request is for an "Area" Variance of Section 1170.08 – Commercial/Office Districts -Schedule of Yard and Height Regulations – Uses – Gasoline Service Stations.

Motion made by Councilman Divis seconded by Councilwoman Kohar to grant the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Councilman Divis – Stated, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Jeffrey McCourt-Firelands Scientific for property at 6891 Ridge Road. The request is for a "Use" Variance of Section 1170.03 Commercial/Office Districts – Schedule of Permitted Buildings and Uses.

Motion made by Councilman Divis seconded by Councilman Casselberry to grant the Variance, with Stipulations, as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

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Notice received from the Ohio Division of Liquor Control for a New C1, C2 Permit to Tropical Mini Mart LLC, dba Tropical Mini Mart, 5541 Ridge Road, Parma, Ohio 44129. Mailed October 21, 2021. Responses must be postmarked no later than November 22, 2021.

Mr. Brennan – Copy of said Liquor Permit was referred to Council and Safety Director.

Request for Representation – Motion made by Councilman Jech seconded by Councilman Divis to allow the Law Director and staff to act as legal counsel for Christopher C. Smith named as defendant in United States District Court Case No. 1:21-CV-01928 captioned El Amor Bey v. Christopher C. Smith. Motion carried.

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**FIRST READING:**

ORDINANCE NO. 154-21 11/8/21  
BY: V. DIPIERRO  
(By Request – Building Commissioner)

AN ORDINANCE TO REGULATE THE LOCATION AND MAINTENANCE  
OF, AS WELL AS SETTING A FEE FOR, PORTABLE TOILETS IN THE  
CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Planning Committee and Planning Commission.

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ORDINANCE NO. 190-21 11/8/21  
BY: V. DIPIERRO

AN ORDINANCE TO ENACT SECTION 1729.021 "PROHIBITION OF  
SWIMMING POOLS" WITHIN CHAPTER 1729 "SHORT-TERM RENTALS"  
OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING  
AN EMERGENCY

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

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ORDINANCE NO. 192-21 11/8/21  
BY: K. L. SABAN  
(By Request – Recreation Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE  
NO. 423-06 TO AMEND THE SEVERAL PART-TIME POSITIONS WITHIN THE  
DIVISION OF PARKS & RECREATION, AND DECLARING AN EMERGENCY

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

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ORDINANCE NO. 193-21 11/8/21  
BY: D. LIME  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF  
PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR A FIRE DEPARTMENT HOSE

APPLIANCE FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN  
EMERGENCY

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

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

ORDINANCE NO. 194-21 11/8/21

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF  
PUBLIC SAFETY TO ENTER INTO A CONTRACT FOR FIRE DEPARTMENT  
HOSE FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

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

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BY: M. CASSELBERRY  
(By Request – City Engineer)

ORDINANCE NO. 196-21 11/8/21

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 PARTIAL CONSTRUCTION COST OF THE  
KRUEGER AVENUE AREA SEWER IMPROVEMENT PROJECT IN THE CITY OF  
PARMA, AND DECLARING AN EMERGENCY

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

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

ORDINANCE NO. 197-21 11/8/21

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 PARTIAL CONSTRUCTION COST OF THE GREEN  
ACRES DRIVE AREA SEWER IMPROVEMENT PROJECT IN THE CITY OF PARMA,  
AND DECLARING AN EMERGENCY

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

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**SECOND READING:**

ORDINANCE NO. 179-21

10/18/21

BY: K. L. SABAN  
(By Request – Human Resources Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR DENTAL INSURANCE COVERAGE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Ordinance No. 179-21 by accepting Exhibit "A". Further moved to refer Ordinance No. 179-21 back to the Finance Committee as amended. Motion carried.

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ORDINANCE NO. 180-21

10/18/21

BY: K.L. SABAN  
(By Request – Human Resources Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR VISION INSURANCE COVERAGE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Ordinance No. 180-21 by accepting Exhibit "A". Further moved to refer Ordinance No. 180-21 back to the Finance Committee as amended. Motion carried.

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ORDINANCE NO. 181-21

10/18/21

BY: K.L. SABAN  
(By Request - Human Resources Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR MEDICAL INSURANCE COVERAGE FOR CITY EMPLOYEES, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Ordinance No. 181-21 by accepting Exhibit "A". Further moved to refer Ordinance No. 181-21 back to the Finance Committee as amended. Motion carried.

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ORDINANCE NO. 186-21

10/18/21

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

AN ORDINANCE APPROVING THE MEMORANDUM OF AGREEMENT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (PATROLMEN) RELATIVE TO IMPLEMENTING TWELVE (12) HOUR WORK SCHEDULES, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 186-21 back to the Finance Committee. Motion carried.

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ORDINANCE NO. 189-21

10/18/21

BY: K.L. SABAN  
(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 Councilwoman Saban seconded by Councilman Casselberry to refer Ordinance No. 189-21 back to the Finance Committee. Motion carried.

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**THIRD READING:**

ORDINANCE NO. 140-21

8/2/21

BY: K. L. SABAN  
(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, 2022, TO AND INCLUDING MARCH 31, 2022, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Casselberry to amend Ordinance No. 140-21 by accepting Exhibit "A". Further moved to waive Rule 52 and place Ordinance No. 140-21 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 140-21 as amended.

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; Ordinance No. 140-21 is adopted as amended.

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ORDINANCE NO. 171-21

10/4/21

BY: D. LIME, R. J. JECH, M. CASSELBERRY, K. SHUMAN  
(By Request – Building Commissioner)

AN ORDINANCE TO AMEND SECTION 1529.23 "FENCES, HEDGES AND TRELLISES" IN CHAPTER 1529 "GENERAL BUILDING REGULATIONS" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, RELATING TO STAMPED BOUNDARY SURVEYS, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 171-21.

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; Ordinance No. 171-21 is adopted.

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BY: K.L. SABAN, L. A. KOHAR  
(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 YEARS 2022 AND 2023, APPROPRIATING THE SUM OF \$486,876.00 FOR 2022 AND \$535,564.00 FOR 2023, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 172-21.

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; Ordinance No. 172-21 is adopted.

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**SUSPENSION OF THE RULES:**

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 191-21, Ordinance No. 198-21 and Resolution No. 199-21 on three different days be dispensed with?

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 191-21, Ordinance No. 198-21 and Resolution No. 199-21 be placed on final passage?

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; motion carried.

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

AN ORDINANCE TO ACCEPT PERMANENT UTILITY EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS IN CERTAIN PREMISES KNOWN AS PERMANENT PARCEL NUMBER 445-15-004, AND DECLARING AN EMERGENCY

Law Director Dobeck – Explained the easement is regarding the Broadview Road/Broadrock Court Sanitary Sewer Project.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt Ordinance No. 191-21.

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; Ordinance No. 191-21 is adopted.

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BY: K. L. SABAN  
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2021 PERMANENT APPROPRIATIONS OF THE  
CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Mr. Prok – Stated the amendment is regarding the need for additional funds for the  
Commissary at the Parma Justice Center.

Motion made by Councilman Jech seconded by Councilman Casselberry to adopt  
Ordinance No. 198-21.

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; Ordinance No. 198-21 is adopted.

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RESOLUTION NO. 199-21

11/8/21

BY: K. L. SABAN  
(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 Jech seconded by Councilman Casselberry to adopt  
Resolution No. 199-21.

Yes: Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban, Shuman, Casselberry.

No: None; Resolution No. 199-21 is adopted.

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**APPOINTMENTS AND CONFIRMATIONS**

Councilwoman Kohar – Stated, the Appointment Scanning Committee met to discuss the  
following reappointments:

1. Reappointment of Scott Simmerer to the Municipal Income Tax Board of  
Review. Mr. Simmerer's term expires on December 31, 2021. His new  
appointment would be for a two (2) year term ending on December 31,  
2023.
2. Reappointment of Mary Ellen Neff to the Municipal Income Tax Board of  
Review. Ms. Neff's term expires on December 3, 2021. Her new  
appointment would be for a two (2) year term ending December 3, 2023.

Motion made by Councilwoman Kohar seconded by Councilman Casselberry to grant the  
reappointments as recommended by the Mayor and the Appointment Scanning Committee of  
Council. Motion carried.

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**PUBLIC SESSION**

No one wished to speak.

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**MISCELLANEOUS BUSINESS**

Mayor, Service Director, Safety Director, Law Director, Auditor and Treasurer – No comment.

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Motion made by Councilman Dipierro seconded by Councilman Jech to dispense with the Round Robin. Motion carried.  
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**ADJOURNMENT**

Motion made by Councilman Jech seconded by Councilman Casselberry to adjourn said meeting at 7:27 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, November 8, 2021.

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

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

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