

**MINUTES
OCTOBER 2, 2023
COUNCIL MEETING
PARMA COUNCIL CHAMBERS
6:30 P.M.**

The Regular Council Meeting was called to order by President of Council Vito Dipierro presiding:

COUNCIL MEMBERS PRESENT:	KELLY ZACHARIAS MARK CASSELBERRY ALLAN DIVIS ROB EUERLE LINDA A. KOHAR KEVIN C. KUSSMAUL DEBORAH LIME KAMMY SHUMAN MONICA WISON
--------------------------	---

Ms. Saban – 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 Dobeck, Auditor Brian Day, Treasurer Tom Mastroianni, Service Director Tony Vannello, Safety Director Bob Coury, Building Commissioner Dan Kulchytsky, 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 Kristin L. Saban.

INVOCATION

The Invocation was given by Clerk of Council Kristin Saban.

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION 147-23 10/2/23
BY: **R. EUERLE**, M. CASSELBERRY, A. DIVIS, L.A. KOHAR, K.C. KUSSMAUL, D. LIME K.
SHUMAN, M. WILSON, K. ZACHARIAS

A RESOLUTION HONORING THE PARMA ANIMAL SHELTER

Motion made by Councilwoman Lime seconded by Councilwoman Shuman to adopt Resolution No. 147-23. Motion carried.

Councilman Euerle presented a Resolution and Certificates from the Law Department, Auditor, and Treasurer. State Representative Brennan presented a Certificate. Mayor DeGeeter presented a Proclamation.

CERTIFICATES

Mr. Dipierro – Asked the residents of Rousseau Drive/Haunted House to come forward to receive Certificates.

Certificates were presented by Councilmen Divis, Kussmaul, and Mayor DeGeeter. Certificates will be delivered by Councilman Euerle to Circle Floors for being October Business of the Month.

Mr. Dipierro – By request of Council we will bring forward Ordinance No. 130-23, under Third Reading and passage.

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

ORDINANCE NO. 130-23 9/5/23

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PURCHASE AGREEMENT FOR THE SALE OF K-9 DOG CONEY OF THE PARMA POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 130-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson
No: None; Ordinance No. 130-23 is adopted.

Chief Bobak presented Certificates and Photo to K-9 Coney and thanked him for his years of dedicated service.

Mayor DeGeeter presented a Proclamation.

Congressman Max Miller’s office presented a Certificate of Recognition for Service.

Council recessed at 6:58 PM
Council reconvened at 7:00 PM

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Dipierro – Stated, you have before you the Minutes from the September 18, 2023, Regular Council meeting. Asked if there were any additions or corrections to the Minutes? Stated, hearing none, the minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS

Mrs. Saban read the following – THE PARMA BOARD OF ZONING APPEALS met on Tuesday September 12, 2023 and PROPOSED TO VARY, subject to the provisions of amended Ordinance Section 1189.01 (confirmation or rejection by Council within forty days of receipt of this notice) FOR THE APPLICANT Brian Tomash, 6106 Belmere Dr. Parma, Ohio 44129. PPN:448-18-087. After discussion John Yurkiw recommends to Council to grant Brian Tomash, 6106 Belmere Dr. an Area Variance of the City of Parma Codified Ordinance SECTION 1189.01 ERECTION OF BUILDINGS BETWEEN BUILDING LINE AND STREET. The proposal is to construct a covered front porch that projects 6 feet forward of the building line. This variance would result in a porch extending 6 feet further towards the street than code allows. By granting this variance the essential character of the neighborhood would not be substantially altered and by granting this variance the zoning and building requirements would be observed. Allesan Armstrong second the motion. George Ziefle and George Mastrobuono voted yes.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to thereafter read the variance by title only and further refer the variance application to the Planning Committee. Motion carried.

Mrs. Saban read the following – THE PARMA BOARD OF ZONING APPEALS met on Tuesday, September 12, 2023, and PROPOSED TO VARY, subject to the provisions of amended Ordinance Section 1189.01 (confirmation or rejection by Council within forty days of receipt of this notice) FOR THE APPLICANT Samir and Sadika Alatrash, 2215 Coventry Dr. Parma, Ohio 44134. PPN:448-18-087. After discussion George Mastrobuono recommends to Council to grant Samir and Sadika Alatrash, 2215 Coventry, an Area Variance of the City of Parma Codified Ordinance SECTION 1153.03(b)(6)-SINGLE FAMILY HOUSE DISTRICTS- ACCESSORY USES & BUILDING REGULATIONS-PARKING AREAS. The proposal is to construct a parking pad to the interior of the lot. This variance would result in allowing additional parking area in front of the house. By granting this variance the essential character of the neighborhood would not be substantially altered and by granting these variances the zoning and building requirements would be observed. Allesan Armstrong second the motion. John Yurkiw, and George Ziefle voted yes.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to thereafter read the variance by title only and further refer the variance application to the Planning Committee. Motion carried.

Mrs. Saban read the following – THE PARMA BOARD OF ZONING APPEALS met on Tuesday September 12, 2023, and PROPOSED TO VARY, subject to the provisions of amended Ordinance Section 1156.02(c), 1156.04(a), and 1156.05 (d) (confirmation or rejection by Council withing forty days of receipt of this notice) FOR THE APPLICANT Timothy Boyko, 6300 Rockside Road, Suite 303 Independence, Ohio 44131. PPN:455-19-004,005,007,009 and 455-19-023, 024. After discussion John Yurkiw made the following recommendations to Council to grant Timothy Boyko, for the next six parcels at the northwest corner of Pleasant Valley and Ridge Roads, the requested area variance to the City of Parma Codified Ordinance SECTION 1156.02(c) PRINCIPAL USES. The proposal is to construct attached dwellings (townhouses) that contain five dwelling units. This variance would result in allowing attached single family cluster buildings with 5 units. The second area variance requested was to City of Parma Codified Ordinance SECTION 1156.04(a) AREA AND DENSITY REQUIREMENTS. The proposal is to construct a subdivision comprised of 9 acres of land. The variance would result in allowing a subdivision to be constructed with 6 less acres than code requires. The third area variance requested was to City of Parma Codified Ordinances SECTION 1156.05 (d) BUILDING ARRANGEMENTS AND SPACING REQUIREMENTS. The proposal is to construct townhome buildings of 4 and 5 attached dwelling units. The variance would result in allowing 1 and 2 more dwelling units be attached than code allows. John Yurkiw stated, "I recommend to Council as Board of Zoning approves these variances and the essential character of the neighborhood would not be substantially altered and the adjoining properties would not suffer substantial detriment as a result of granting these variances." Allesan Armstrong second the motion. George Ziefle voted yes. George Mastrobuono recused himself from the vote.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to thereafter read the variance by title only and further refer the variance application to the Planning Committee. Motion carried.

Notice from the Ohio Division of Liquor Control for a C1, C2 Permit to Family Dollar Stores of Ohio LLC DBA Family Dollar Store 22005, 5455 Ridge Rd. Parma, Ohio 44129. Mailed on September 13, 2023. Responses must be postmarked no later than October 16, 2023.

Councilwoman Lime – Stated that she thought that this had been a dry precinct since 1994.
Law Director Dobek – Stated that over the years, precincts change, but he would be happy to look into it further.

Mr. Dipierro – Said Liquor Permit was referred to Council and Safety Director, as well as to the Law Department.

Notice from the Ohio Division of Liquor Control for a D2 Permit to Watami Revolving Sushi Inc. 7426 Broadview Rd. Parma, Ohio 44134. Mailed on September 18, 2023. Responses must be postmarked no later than October 19, 2023.

Mr. Dipierro- Said Liquor Permit was referred to Council and Safety Director.

Mrs. Saban – Read an invitation from the Young Professionals of Parma for all Parma residents to participate in the “Spooky Showdown” Halloween decorating contest, presented by the Young Professionals of Parma, City of Parma, and We are Parma Proud.

FIRST READING:

RESOLUTION NO. 150-23

10/2/23

BY: K. SHUMAN, A. DIVIS
(By Request – City Engineer)

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE VALLEY VILLAS DRIVE, A PORTION OF YORK ROAD, AND A PORTION OF STATE ROAD BY PROVIDING THE INSTALLATION OF SANITARY SEWERS IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Dipierro – Said Resolution will be referred to the Finance Committee.

ORDINANCE NO. 153-23

10/2/23

BY: M. CASSELBERRY, A. DIVIS, D. LIME
(By Request – Law Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIVE (5) YEAR LEASE/PURCHASE AGREEMENT WITH THE SAFETY COMPANY DBA M-TECH FOR ONE (1) 350HD HIGH ROOF CARGO VAN RWD WITH CUES BUILD/UPLIFT INTERIOR INCLUDING EQUIPMENT /OPERATION ROOMS SEPARATED BY BULKHEAD WALL, SHELVING/ STORAGE UNITS, INVERTER SYSTEM, WASHDOWN, ECT., AT A LEASE RATE NOT TO EXCEED 8%, WITH OHIO STS CONTRACT PRICING IN THE AMOUNT OF \$17,845.00, CONTRACT NUMBER 800905, FOR THE PARMA SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 134-23

9/18/23

BY: K. SHUMAN
(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 2024 AND 2025, APPROPRIATING THE SUM OF \$588,309.00 FIR 2024 ABD \$649,168.00 FOR 2025, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to refer Ordinance No. 134-23 back the Finance Committee. Motion carried.

ORDINANCE NO. 135-23

9/18/23

BY: M. CASSELBERRY
(By Request – Law Director)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 423-06 TO AMEND THE COMPENSATION RANGE FOR VARIOUS PART-TIME POSITIONS WITHIN THE LAW DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to refer Ordinance No. 135-23 back to the Finance Committee. Motion carried.

ORDINANCE NO. 137-23

9/18/23

BY: M. CASSELBERRY
(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, 2024, TO AND INCLUDING MARCH 31, 2024, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to refer Ordinance No. 137-23 back to the Finance Committee. Motion carried.

BY: M. CASSELBERRY
(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, 2024, TO AND INCLUDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to refer Ordinance No. 138-23 back to the Finance Committee. Motion carried.

BY: M. CASSELBERRY
(By Request – Auditor)

AN ORDINANCE REQUESTING AND AUTHORIZING THE CUYAHOGA COUNTY FISCAL OFFICER TO MAKE TAX ADVANCES TO CERTAIN DESIGNATED OFFICERS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to refer Ordinance No. 139-23 back to the Finance Committee. Motion carried.

THIRD READING:

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

AN ORDINANCE AMENDING SECTION 618.21 ENTITLED "HUNTING PROHIBITED" AND REPEALING SECTION 618.11 ENTITLED "HUNTING OR TRAPPING PROHIBITED" OF THE PARMA CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 125-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.
No: None; Ordinance No. 125-23 is adopted.

BY: D. LIME, M. CASSELBERRY
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT OF COOPERATION BETWEEN CUYAHOGA COUNTY AND THE CITY OF PARMA FOR THE RESURFACING OF SNOW ROAD BETWEEN RIDGE AND STATE ROADS IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 126-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Ordinance No. 126-23 is adopted.

ORDINANCE NO. 127-23

9/5/23

BY: M. CASSELBERRY

(By Request – Recreation Director)

AN ORDINANCE TO AMEND SECTION 131.01 "PETTY CASH ACCOUNTS" WITHIN CHAPTER 131 "ADMINISTRATION GENERALLY" RELATING TO PARMA MUNICIPAL GOLF COURSE PETTY CASH LIMIT WITHIN 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. 127-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Ordinance No. 127-23 is adopted.

ORDINANCE NO. 129-23

9/5/23

BY: M. CASSELBERRY

(By Request – Human Resources and Purchasing Director)

AN ORDINANCE TO AMEND SECTION 115.09 "FORMAL CONTRACT PROCEDURE" OF CHAPTER 155 "DIVISION OF PURCHASES" OF PART 1 ADMINISTRATIVE 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. 129-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Ordinance No. 129-23 is adopted.

SUSPENSION OF THE RULES:

Mr. Dipierro – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 144-23, Resolution No. 145-23, Resolution 146-23, Ordinance No. 148-23 and Ordinance No. 149-23 on three different days be dispensed with?

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; motion carried.

Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 144-23, Resolution No. 145-23, Resolution 146-23, Ordinance No. 148-23, and Ordinance No. 149-23 be placed on final passage?

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; motion carried.

BY: M. CASSELBERRY, L. KOHAR, A. DIVIS, D. LIME, M. WILSON

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A 2023 AMERICAN RESCUE PLAN ACT GRANT AGREEMENT WITH THE WESTERN RESERVE AREA AGENCY ON AGING FOR THE PERIOD OF AUGUST 1, 2023, THROUGH DECEMBER 31,2023 AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No 144-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Ordinance No. 144-23 is adopted

RESOLUTION NO. 145-23

10/2/23

BY: D. LIME, L. KOHAR, K. SHUMAN, M. WILSON, K. ZACHARIAS, M. CASSELBERRY, A. DIVIS, R. EUERLE, K. KUSSMAUL

A RESOLUTION SUPPORTING "BREAST CANCER AWARENESS MONTH" IN THE MONTH OF OCTOBER 2023, AND DECLARING AN EMERGENCY

Mrs. Saban – Stated how much this resolution has meant to her in the past, with family members and a close friend going through breast cancer. She stated that now she is beginning her own journey, and wished to thank her family, friends and colleagues for their love and support.

Mr. Dipierro – Expressed his support to Mrs. Saban.

Councilman Casselberry – Expressed his support to Mrs. Saban

Councilman Divis – Expressed his support to Mrs. Saban

Councilwoman Lime – Stated that she will be with Mrs. Saban every step of the way and she knows that Mrs. Saban will be fine.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No 145-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Resolution No. 145-23 is adopted.

RESOLUTION NO. 146-23

10/2/23

BY: M. CASSELBERRY
(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. 146-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Resolution No. 146-23 is adopted.

BY: M. CASSELBERRY
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2023 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, OHIO AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to amend Ordinance No. 148-23 by accepting revised Exhibit "A". Motion carried.

Councilwoman Lime – Stated that she was concerned about the 405 Professional Services for \$845,000.

Auditor Day – Stated that there are three accounts that we need to amend appropriations for. He stated that a reimbursement check was received from NEORSD for 2023 catch basin and manhole repair and replacement projects. He stated that the Service Director would like to have that appropriated so he can use the funds accordingly.

Councilwoman Lime – Asked the Service Director if he had a bid or looked into salt pricing.

Service Director Vannello – Stated that since last year the price per ton went up about \$5.00. We paid \$47.52 last year, and this year it will be like \$52.47, we piggyback off of the state's bid pricing.

Councilwoman Lime – Said that it seems like a lot when you have to buy for the whole winter.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance 148-23 as amended.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Ordinance No. 148-23 is adopted as amended.

BY: M. CASSELBERRY
(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2023 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 149-23.

Yes: Zacharias, Casselberry, Divis, Euerle, Kohar, Kussmaul, Lime, Shuman, Wilson.

No: None; Ordinance No. 149-23 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – Wished to give Mrs. Saban all his support .

Safety Director Coury – Wished Mrs. Saban well and gave her his support.

Service Director Vannello – Wished to give Mrs. Saban his support.

Auditor Day – Wished to give Mrs. Saban his support.

Law Director Dobeck – No comment

Treasurer Mastroianni – Wished to give Mrs. Saban his support.

Councilwoman Zacharias – No comment

Councilman Casselberry- Wished Mrs. Saban well, and gave her his support.

Councilman Divis- No comment

Councilman Euerle – Thanked the Service Director and his staff for the cones and signs and for a very successful Shred Event that brought in hundreds of cars.

Councilman Kussmaul – Thanked Kristin, Crystal and Karen, and the rest of Council for their help with the Quarry District Picnic.

Councilwoman Lime – Thanked Mrs. Saban for her love and support during her own journey with breast cancer and let her know that she will be with her every step of the way and that she will beat it 100%.

Councilwoman Shuman – Stated that her Ward 7 Safety Meeting will be this Wednesday at Tri C, and that all are welcome. She wished to give Mrs. Saban her support.

Councilwoman Wilson – Expressed her support for Mrs. Saban

REPORT ON ABSENT MEMBERS

ADJOURNMENT

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adjourn said meeting at 7:33 P.M. Motion carried.

CERTIFICATION

I, Kristin L. Saban, 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, October 2, 2023.

/s/Kristin L. Saban
KRISTIN L. SABAN
CLERK OF COUNCIL

/s/ Vito Dipierro
VITO DIPIERRO
PRESIDENT OF COUNCIL

rb