

DECEMBER 19, 2016
MINUTES OF REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
7:07 P.M.

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

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

Mr. Ramser - Mr. President Pro Tem, 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, Safety Director Thomas Weinreich, Recreation Commissioner Mickey Vittardi, Director of Human Resources Renee Guy, Economic Development Officer/Grant Writer Shelly Cullins and Clerk of Council Kenneth A. Ramser.

INVOCATION

The Invocation was given by Clerk of Council Kenneth A. Ramser.

PLEDGE OF ALLEGIANCE

VOICE VOTE:

RESOLUTION NO. 262-16 12/19/16 L-262-16
BY: **V. DIPIERRO**, B. BROCHETTI, M. CASSELBERRY, A. DIVIS, J. CROSSMAN, D. LIME,
L. NAPOLI, K. L. SABAN, S. M. TUMA

A RESOLUTION HONORING CHARLES M. GERMANA CITIZEN OF THE MONTH
- DECEMBER, 2016

Motion made by Councilman Brochetti seconded by Councilman Casselberry to adopt Resolution No. 262-16. Motion carried.

Councilman Dipierro - Presented the Resolution, along with Certificates from the Auditor, Treasurer and Law Director to Charles Germana.

Mayor DeGeeter - Presented a Proclamation.
Charles Germana, accepted the Resolution, Proclamation and Certificates. Thanked everyone.

RESOLUTION NO. 263-16 12/19/16 L-263-16
BY: **S. M. TUMA**, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, V. DIPIERRO, A. DIVIS, D. LIME, L. NAPOLI, K. L. SABAN

A RESOLUTION HONORING SHOPPES AT PARMA BUSINESS OF THE MONTH
- DECEMBER, 2016

Motion made by Councilman Brochetti seconded by Councilman Casselberry to adopt Resolution No. 263-16. Motion carried.

Councilman Tuma - Presented the Resolution, along with Certificates from the Auditor, Treasurer and Law Director to Michelle Delvin from the Shoppes at Parma.

Mayor DeGeeter - Presented a Proclamation.

Michelle Delvin from the Shoppes at Parma accepted the Resolution, Proclamation and Certificates on behalf of the Shoppes at Parma. Thanked Everyone.

RESOLUTION NO. 264-16 12/19/16 L-264-16
BY: A. DIVIS, B. BROCHETTI, M. CASSELBERRY, J. CROSSMAN, V. DIPIERRO, D. LIME, L. NAPOLI, K. L. SABAN, S. M. TUMA

A RESOLUTION HONORING PARMA, OHIO ON THE 200th ANNIVERSARY
OF ITS SETTLEMENT

Motion made by Councilman Brochetti seconded by Councilman Casselberry to adopt Resolution No. 264-16. Motion carried.

Councilman Divis - Presented the Resolution, along with a Certificate from the Auditor to Ruth Fay the Great - Great Granddaughter of Benajah Fay the first settler of Parma, Ohio.

Mayor DeGeeter - Presented a Proclamation.

Ruth Fay accepted the Resolution, Proclamation and Certificate. Thanked everyone.

Council took a recess at 7:35 to enjoy some cake and reconvened at 7:45.

LEGISLATIVE COMMENT

No one wished to speak.

COMMUNICATIONS, PETITIONS AND CLAIMS

Councilman Divis - The Planning Committee of Council met on December 5, 2016, to discuss the variance for the applicant, Marty R. Compton, 5308 Orchard Park Dr. 44134. The PPN is 450-09-014 & 013.

He has requested an "Area" variance of the City of Parma Codified Ordinances of Section 1153.03(c)(2) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS REGULATIONS. The proposal is to allow to park 31' recreational vehicle on concrete pad

adjacent to garage on property located at 5308 Orchard Park Drive zoned Single-Family A 1. Any owner of recreational equipment may park or store such equipment, not in excess of 24' in overall length on property owned by him. This variance would result in allowing to store on property a recreational equipment that is 7' more for overall length. With the stipulation that this variance shall lapse at the point that this applicant no longer has an ownership interest in the property that is the subject of the variance. With the stipulation that this variance shall lapse at the point that this applicant no longer has on ownership interest in the property that is the subject of the variance.

Motion made by Councilman Divis seconded by Councilman Crossman to grant the variance with the above stipulations on December 19, 2016. Motion carried.

Notice from the Ohio Division of Liquor Control C1, C2 Permit to Radognaridge LLC DBA 7 Eleven 36735A, 6585 Ridge Road, Parma, Ohio 44129. Mailed December 12, 2016. Responses must be postmarked no later than January 12, 2016.

Mr. Tuma - Copy of said Liquor Permit was referred to the Safety Director and Ward Council.

Notice from the Ohio Division of Liquor Control D5, D6 Permit to Grovewood Grill Inc. DBA Grovewood Grill, 5455 State Road & Patio, Parma, Ohio 44134. Mailed on December 16, 2016. Responses must be postmarked no later than January 17, 2017.

Mr. Tuma - Copy of said Liquor Permit was referred to the Safety Director and Ward Council.

AMENDMENT TO THE CALENDAR

Motion made by Councilman Casselberry seconded by Councilman Dipierro to amend the Calendar by moving Ordinance No. 255-16 and Ordinance No. 256-16 under Suspension of the Rules to First Reading. Motion carried.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS:

FIRST READING:

	ORDINANCE NO. 255-16	12/19/16	L-255-16
BY:	B. BROCHETTI		
	(By Request - Mayor)		

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO. 65-16 RELATIVE TO THE 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

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

ORDINANCE NO. 256-16 12/19/16 L-256-16

BY: B. BROCHETTI
(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

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

ORDINANCE NO. 257-16 12/19/16 L-257-16

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

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 348-04 TO AMEND THE SALARY RANGE FOR THE POSITION OF "ASSISTANT CITY ENGINEER" WITHIN THE ENGINEERING DEPARTMENT, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 265-16 12/19/16 L-265-16

BY: S. M. TUMA
(By Request - Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS AUTHORIZED REPRESENTATIVE, TO ENTER INTO A CONTRACT FOR ACCOUNTING SERVICES FOR THE DEPARTMENT OF COMMUNITY SERVICES & ECONOMIC DEVELOPMENT, AND DECLARING AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 254-16 12/5/16 L-254-16

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE PURCHASE OF ONE (1) 2017 CHEVY EQUINOX FOR THE PARMA POLICE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to refer Ordinance No. 254-16 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

Mr. Tuma - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 249-16 on three different days be dispensed with?

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

No: None; Motion carried.

ORDINANCE NO. 249-16 12/5/16 L-249-16
BY: B. BROCHETTI, D. LIME, L. NAPOLI, K. L. SABAN, S. M. TUMA, M. CASSELBERRY, J. CROSSMAN, V. DIPIERRO, A. DIVIS
(By Request - Building Commissioner)

AN ORDINANCE TO AMEND A PORTION OF SUBSECTION (f) "PROPERTY MAINTENCE CODE" OF SECTION 185.04 "FEES OF THE DIRECTOR OF PUBLIC SAFETY" TO AMEND THE "LATE FEE FOR THE ANNUAL RENTAL REGISTRATION FEE", OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Councilman Crossman - Asked for clarification on the \$50.00 late fee?

Safety Director Weinreich - Stated that with the \$150.00 permit fee and the \$50.00 a month late fee drew concern from the courts. Also that there was discussion with the Law Department and Building Department to have a late fee instead of a accumulating late fee.

Councilman Crossman - Asked that if a landlord went years without paying the late fee would it be \$50.00 a year late fee?

Safety Director Weinreich - Stated that the change did not preclude going to court and prosecuting the individuals for failure to pay.

Law Director Dobeck - Stated that the notices for the late fee went out late this year. Also, that some of the individuals had up to a \$700.00 late fee. Stated that the Law Department recommended to the Building Department to have one late fee instead of a monthly late fee.

Motion made by Councilman Brochetti seconded by Councilman Casselberry to amend Ordinance No. 249-16 as follows: In Section 1, (2) of the amended to read '\$50.00 late fee for failure to pay by January 31'. Motion carried.

Motion made by Councilman Brochetti seconded by Councilman Casselberry to adopt Ordinance No. 249-16 as amended.

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

No: None; Ordinance No. 249-16 is adopted as amended.

THIRD READING:

ORDINANCE NO. 231-16 11/7/16 L-231-16
BY: S. M. TUMA, A. DIVIS, B. BROCHETTI
(By Request - City Engineer)

AN ORDINANCE SETTING THE TIME AND PLACE OF THE ASSESSMENT EQUALIZATION BOARD HEARING WITH RESPECT TO THE RIDGE ROAD, PHASE 2, FROM STEARNS FARM TO THE NORTH ROYALTON CORPORATION LINE SEWER ASSESSMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to amend Ordinance No. 231-16 as follows: In the first Whereas Clause, insert December 5, 2016. In Section 1, insert January 11, 2017 and January 12, 2017, beginning at 6 P.M. and adjourning at 8 P.M. I further move to waive Rule 52 and place Ordinance No. 231-16 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Brochetti seconded by Councilman Casselberry to adopt Ordinance No. 231-16 as amended.

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

No: None; Ordinance No. 231-16 is adopted as amended.

SUSPENSION OF THE RULES:

Mr. Tuma - Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 261-16 and Resolution No. 266-16 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Tuma - Shall Rule 45 requiring reference to Committee be dispensed with and Ordinance No. 261-16 and Resolution No. 266-16 be placed on final passage?

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

No: None; motion carried.

ORDINANCE NO. 261-16 12/19/16 L-261-16
BY: D. LIME, K. L. SABAN, M. CASSELBERRY
(By Request - Community Services & Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ACCEPT QUIT CLAIM DEEDS FOR THE VACANT LANDS AT 6607 GILBERT AVENUE AND 908 CLEARVIEW DRIVE, AND THE CONDEMNED PROPERTY AT 4909 SNOW ROAD IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Brochetti seconded by Councilman Casselberry to adopt Ordinance No. 261-16.

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

No: None; Ordinance No. 261-16 is adopted.

RESOLUTION NO. 266-16 12/19/16 L-266-16
BY: S. M. TUMA
(By Request - Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S CASH TRANSFERS, AND DECLARING AN EMERGENCY

Auditor Day - State that the Resolution is a part of the year end clean up and is budgeted transfers.

Councilwoman Lime - Asked if the \$100,000 going into the 605 liability insurance is a part of the \$200,000 that was budgeted?

Law Director Dobeck - Stated that the \$100,000 is a part of the budget.

Councilwoman Lime - Asked if the funds were a part of original amount appropriated?

Law Director Dobeck - State that is correct.

Councilwoman Lime - Asked if the Fire Department Building Funds were budgeted?

Auditor Day - Stated that they were budgeted.

Motion made by Councilman Brochetti seconded by Councilman Casselberry to adopt Resolution No. 266-16.

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

No: None; Resolution No. 266-16 is adopted.

PUBLIC SESSION

Mr. Ehlert - Wished everyone a Merry Christmas.

MISCELLANEOUS BUSINESS

Mayor DeGeeter - Wished everyone a Merry Christmas. Thanked all the elected officials for their hard work in 2016.

Safety Director Weinreich - Wished everyone a safe and Merry Christmas.

Service Director Higgins - Wished everyone a Merry Christmas.

Auditor Day - Wished everyone a Merry Christmas.

Law Director Dobeck - Stated that there will be a procedure adopting the Minutes for the Committee Meetings starting in the New Year.

Treasurer Mastroianni - Wished Councilman Tuma good luck in his new position.

Councilwoman Lime - Wished everyone a Merry Christmas.

Councilman Napoli - Wished everyone a Merry Christmas.

Councilwoman Saban - Wished everyone a Merry Christmas. Also thanked everyone for their help in her first year.

Councilman Brochetti - Wished everyone a Merry Christmas.

Councilman Casselberry - Wished everyone a Merry Christmas. Also thanked the Young Professionals of Parma with helping with the Christmas lighting contest.

Councilman Crossman - Wished everyone a Merry Christmas. Also wished Councilman Tuma good luck.

Councilman Dipierro - Thanked everyone that participated and donated to the Chevybrook Christmas Party. Also wished everyone a Merry Christmas.

Councilman Divis - Wished everyone a Merry Christmas.

President Pro Tem Tuma - Spoke about his time as Councilman and what it meant to him. Also thanked everyone for their well wishes and a Merry Christmas to all.

REPORT ON ABSENT OFFICIALS

Motion made by Councilman Brochetti seconded by Councilman Casselberry to excuse President of Council Sean P. Brennan from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilman Crossman seconded by Councilman Dipierro to adjourn said meeting at 8:13 p.m. Motion carried.

CERTIFICATION

I, Kenneth A. Ramser, Clerk of Council for the City of Parma, Ohio, do hereby certify the above to be a true and correct copy of the Minutes from the Regular Council Meeting held on Monday, December 19, 2016.

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

/s/ SCOTT M. TUMA
SCOTT M. TUMA
PRESIDENT OF COUNCIL PRO TEM

(Minutes completed on December 21, 2016)