

**MINUTES  
DECEMBER 4, 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:	LINDA A. KOHAR KEVIN C. KUSSMAUL DEBORAH LIME KAMMY SHUMAN MONICA WILSON KELLY ZACHARIAS MARK CASSELBERRY ALLAN DIVIS ROB EUERLE
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Mrs. 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 Tim DeGeeter, Chief Assistant Laws Director Tim Miller, Auditor Brian Day, Treasurer Tom Mastroianni, Service Director Tony Vannello, Safety Director Bob Coury, Building Commissioner Dan Kulchytsky, Communications and Community Relations Director Carolyn Kovach, Recreation Commissioner Mickey Vittardi, Human Resources Director Renee Guy, Chief of Staff Rich Summers and Clerk of Council Kristin L. Saban.

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**INVOCATION**

The Invocation was given by Clerk of Council Kristin L. Saban.

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**PLEDGE OF ALLEGIANCE**

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**VOICE VOTE:**

	RESOLUTION NO. 187-23	12/4/23
BY:	<b>K. C. KUSSMAUL</b> , M. CASSELBERRY, A. DIVIS, R. EUERLE, L. A. KOHAR, D. LIME, K. SHUMAN, M. WILSON, K. ZACHARIAS	

A RESOLUTION HONORING JUDGE KENNETH R. SPANAGEL  
ON HIS RETIREMENT

Resolution and certificates presented by Councilman Kussmaul.  
Proclamation presented by Mayor DeGeeter.

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## **CERTIFICATES AND PRESENTATIONS**

Check and Certificates presented to Parma Hunger Center by Councilman Rob Euerle.

Check presented to Parma Hunger Center by Auditor Brian Day.

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### **LEGISLATIVE COMMENT:**

No one wished to speak.

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### **DISPOSAL OF JOURNAL**

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

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### **COMMUNICATIONS, PETITIONS AND CLAIMS:**

THE PARMA BOARD OF ZONING APPEALS met on Thursday November 16, 2023, at 6:30 pm and PROPOSED TO VARY, subject to the provisions of amended Ordinance Section 1127.13 (confirmation or rejection by Council within forty days of receipt of this notice) FOR THE APPLICANT Kristine King (trustee) for 1350 Old Rockside Rd. Parma, Ohio 44134, PPN 445-15-014. After discussion George Mastrobuono recommends to Council to grant to Kristine King (trustee) for 1350 Old Rockside, an area variance with the stipulation requiring the installation of a 30 foot long buffer on the west side of the driveway as close to the garage as possible to City of Parma Codified Ordinance Section 1153.03 ACCESSORY USES AND BUILDINGS (d) Parking of Recreational Vehicles (2) Regulations which states, No person shall park or store recreational equipment on any street or highway or public or private property within the City except as hereinafter provided. Any owner of recreational equipment may park or store such equipment, not more than twenty-four feet in overall length. The proposal is to park and store a 27-foot-long RV at a residence. The variance would result in an RV 3 feet longer than code allows to be parked and stored in a residential district. John Yurkiw second the motion. Michelle Green, John Yurkiw, and George Mastrobuono voted to recommend to grant this variance. George Ziefle voted no.

Motion made by Councilman Euerle seconded by Councilman Casselberry to thereafter read the variance application by title only. Further moved to refer the Variance to the Planning Committee. Motion carried.

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THE PARMA BOARD OF ZONING APPEALS met on Thursday November 16, 2023, at 6:30pm and PROPOSED TO VARY, subject to the provisions of amended Ordinance Section 1127.13 (confirmation or rejection by Council within forty days of receipt of this notice) FOR THE APPLICANT Brilliant Electric Sign Co. for 5620 Hauserman Road, Parma, Ohio 44130, PPN 442-48-001. After discussion John Yurkiw recommends to Council to grant the following variance to Brilliant Electric Sign Co. for Saint Bridge of Kildare Parish, 5620 Hauserman, an area variance of the City of Parma Codified Ordinance Section 1196.06 SIGNS IN RESIDENTIAL DISTRICTS. (a) Permitted Types, Number, Area and Height Per the Residential District Sign Schedule which states a community facility is permitted one major free-standing sign no more than 5 feet in height and a minor free-standing sign of no more than 4 Sq. Ft. in area. The proposal is to construct a major free-standing sign 6'-1/2" in height and a minor free-standing sign, 6 Sq. Ft. in area.

These variances would result in a church being permitted to construct a major free-standing sign 1'-1/2" taller, and a minor free-standing sign 2 Sq. Ft more in area than code allows. Michelle Green second the motion. George Mastrobuono, George Ziefle, Michelle Green, and John Yurkiw voted yes.

Motion made by Councilman Euerle seconded by Councilman Casselberry to thereafter read the variance application by title only. Further moved to refer the Variance to the Planning Committee. Motion carried.

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THE PARMA BOARD OF ZONING APPEALS met on Thursday November 16, 2023, at 6:30 pm and PROPOSED TO VARY, subject to the provisions of amended Ordinance Section 1127.13 (confirmation or rejection by Council within forty days of receipt of this notice) FOR THE APPLICANT Derek Schafer, West Creek Conservancy for 7777 West Pleasant Valley, Parma, Ohio 44130, PPN: 455-24-002. After discussion Michelle Green recommends to Council to grant Derek Shafer of West Creek Conservancy, a use variance with the stipulation that split rail fencing be installed between the applicant and eastern neighbor's property, to City of Parma Codified Ordinance Section 1153.02 PRINCIPAL USES AND BUILDINGS, which states within any Single-Family House District, no building or premises shall be erected, used, arranged, or designed to be. The proposal is to use the property for educational purposes regarding watershed stewardship programing. The variance would result in allowing this parcel to be used for office and educational purposes. George Mastrobuono second the motion. John Yurkiw, George Ziefle, George Mastrobuono, and Michelle Green voted yes.

Motion made by Councilman Euerle seconded by Councilman Casselberry to thereafter read the variance application by title only. Further moved to refer the Variance to the Planning Committee. Motion carried.

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**FIRST READING:**

ORDINANCE NO. 191-23

12/4/23

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

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT TO PURCHASE A NEW 2028 MONARCH SUTPHEN PUMPER FIRE ENGINE TO REPLACE AN AGING UNIT FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

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

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**SECOND READING:**

ORDINANCE NO. 162-23

11/20/23

BY: K. SHUMAN  
(By Request – Treasurer)

AN ORDINANCE REVISING SEVERAL SECTIONS WITHIN CHAPTER 184 "MUNICIPAL INCOME TAX, EFFECTIVE JANUARY 1, 2016" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to refer Ordinance No. 162-23 back to the Governmental Operations Committee. Motion carried.

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ORDINANCE NO. 173-23 11/20/23  
BY: K. SHUMAN  
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS), UNDER THE MEMBER COMMUNITY INFRASTRUCTURE GRANT PROGRAM (MCIP) FOR THE PORTION OF DESIGN AND CONSTRUCTION COST FOR THE CRAIGLEIGH DRIVE SEPTIC ABATEMENT PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to refer Ordinance No. 173-23 back to the Finance Committee. Motion carried.

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**THIRD READING:**  
ORDINANCE NO. 167-23 11/8/23  
BY: M. CASSELBERRY  
(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 Lime seconded by Councilman Casselberry to adopt Ordinance No. 167-23.  
Yes: Kohar, Kussmaul, Lime, Shuman, Wilson, Zacharias, Casselberry, Divis, Euerle.  
No: None; Ordinance No. 167-23 is adopted.

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ORDINANCE NO. 168-23 11/8/23  
BY: M. CASSELBERRY  
(By Request – Human Resources Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT FOR GROUP LIFE, AND ACCIDENTAL DEATH AND DISMEMBERMENT (AD & D) INSURANCE FOR CITY EMPLOYEES AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 168-23.  
Yes: Kohar, Kussmaul, Lime, Shuman, Wilson, Zacharias, Casselberry, Divis, Euerle.

No: None; Ordinance No. 168-23 is adopted.

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**SUSPENSION OF THE RULES:**

Mr. Dipierro – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 184-23, Resolution No. 185-23, Ordinance No. 186-23, Ordinance No. 188-23 and Ordinance No. 190-23 on three different days be dispensed with?

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

No: None; motion carried.

Shall Rule 45 requiring reference to committee be dispensed with and Ordinance No. 184-23, Resolution No. 185-23, Ordinance No. 186-23, Ordinance No. 188-23 and Ordinance No. 190-23 be placed on final passage?

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

No: None; motion carried.

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ORDINANCE NO. 184-23

12/4/23

BY: L. KOHAR, A. DIVIS  
(By Request – Service Director)

AN ORDINANCE TO AMEND ORDINANCE NO. 4-22 RELATIVE TO THE  
RESURFACING OF WEST RIDGEWOOD DRIVE FROM RIDGE ROAD TO  
STATE ROAD, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 184-23.

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

No: None; Ordinance No. 184-23 is adopted.

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RESOLUTION NO. 185-23

12/4/23

BY: M. CASSELBERRY  
(By Request – Auditor)

A RESOLUTION APPROVING TH 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. 185-23.

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

No: None; Resolution No. 185-23 is adopted.

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BY: K. KUSSMAUL  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PARTIAL  
VACATION AND RELEASE OF EASEMENT AGREEMENT AT 6997 STATE  
ROAD IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Councilwoman Lime – Asked how much land is involved.

Councilman Kussmaul – Stated that this has to do with a small section behind one of the parking garages on the property. The City of Parma acquired the land from the City of Cleveland and there is a very specific agreement with the land where there is an easement for use for a water/sewer line behind the garage. Stated that the property has transferred a couple of times and this specific easement needs to transfer with the private sale and purchase, and that never happened with the previous transactions. Stated they need to do this in order for the apartment to go from one ownership to another.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 186-23.

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

No: None; Ordinance No. 186-23 is adopted.

BY: D. LIME, A. DIVIS, R. EUERLE

AN ORDINANCE IMPOSING AN IMMEDIATE MORATORIUM ON THE  
ISSUANCE AND PROCESSING OF ANY PERMITS ALLOWING RETAIL  
DISPENSARIES, CULTIVATORS, OR PROCESSORS OF ADULT  
RECREATIONAL USE MARIJUANA WITHIN THE CITY OF PARMA, OHIO  
AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to accept Revised Ordinance No. 188-23. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Revised Ordinance No. 188-23.

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

No: None; Revised Ordinance No. 188-23 is adopted.

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

AN ORDINANCE TO GRANT PARMA HEIGHTS A TRAFFIC CONTROL  
EASEMENT ON STUMPH ROAD FOR THE OPERATION AND MAINTENANCE  
OF A SCHOOL ZONE TRAFFIC CONTROL DEVICE IN THE CITY OF

## PARMA, AND DECLARING AN EMERGENCY

Councilwoman Wilson – Asked if this meant there is a camera on the Parma side in addition to the Parma Heights side?

Safety Director Coury – Stated, currently the City of Parma is responsible for maintaining the Stumph at the Academy school 20 mph and flashing sign. The City of Parma Heights wishes to and has installed their own speed camera on their side of the jurisdiction. Stated because they want to do that and cities will often trade jurisdiction, we believe it is in our interest to turn over the entire maintenance of the sign, their reparations, etc., because of the fact that they want to have their speed zone camera. Since those need to be in sync, we felt it was in our interest to make them take over the entire installation.

Councilwoman Wilson – Asked if that meant there is a camera on the Parma Heights side?

Safety Director Coury – Stated that is correct.

Councilwoman Wilson – Asked if there was no camera on the Parma side?

Safety Director Coury – Stated that the City of Parma does not have a camera and this ordinance doesn't do anything with regard to Parma installing a camera sign and we have no plans of installing a camera sign at this time.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 190-23.

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

No: None; Ordinance No. 190-23 is adopted.

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## PUBLIC SESSION

No one wished to speak.

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## MISCELLANEOUS BUSINESS

Mayor DeGeeter – Commented on the successful Christmas parade and Frosty Fest.

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Safety Director Coury – No comment.

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Service Director Vannello – No comment.

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Auditor Day – No comment.

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Chief Assistant Law Director Miller – No comment.

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Treasurer Mastroianni – Welcomed back Clerk of Council Saban.

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Councilwoman Kohar – No comment.

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Councilman Kussmaul – Thanked Mr. Miller for his years of service. Offered cupcakes that were dropped off from Jim, a resident of Ward 6, and his Fiancée.

Councilwoman Lime – Wished Mr. Miller a happy retirement. Commented on how well the Parade and Frosty Fest went. Thanked Chris Knebusch and everyone for their help.

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Councilwoman Shuman – No comment.

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Councilwoman Wilson – No comment.

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Councilwoman Zacharias – No comment.

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Councilman Casselberry – Welcomed back Clerk of Council Saban. Congratulated Mr. Miller on his retirement. Congratulated Judge Spanagel on his retirement and thanked the Parma Hunger Center for all their work. Commented on the well-attended Parade and Frosty Fest. Stated that Santa will be at his house on December 16<sup>th</sup> from 6 to 8 P.M.

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Councilman Divis – Commented on the Parade and Frosty Fest. Welcomed back Clerk of Council Saban. Wished Mr. Miller the best of luck on his retirement.

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Councilman Euerle – Commented on the Parade. Thanked the Service Department for the leaf collection.

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Mr. Dipierro – Welcomed back Clerk of Council Saban. Congratulated Mr. Miller.

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**REPORT ON ABSENT MEMBERS**

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**ADJOURNMENT**

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adjourn said meeting at 7:16 P.M. Motion carried.

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**C E R T I F I C A T I O N**

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, December 4, 2023.

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

/s/Vito Dipierro  
VITO DIPIERRO  
PRESIDENT OF COUNCIL

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