

**MINUTES
OCTOBER 17, 2022
REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
6:44 P.M.**

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

COUNCIL MEMBERS PRESENT:

LINDA A. KOHAR
KEVIN C. KUSSMAUL
DEBORAH LIME
KAMMY SHUMAN
KELLY ZACHARIAS
MARK CASSELBERRY
VITO DIPIERRO
ALLAN DIVIS
ROB EUERLE

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 Timothy DeGeeter, Staff Attorney Milos Veljkovic, 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, Community Development Director Erik Tollerup, 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 NO. 165-22

10/17/22

BY: **A. DIVIS**, M. CASSELBERRY, V. DIPIERRO, R. EUERLE, L.A. KOHAR
K. C. KUSSMAUL, D. LIME, K. SHUMAN, K. ZACHARIAS

A RESOLUTION HONORING UH PARMA MEDICAL CENTER CHILD CARE
CENTER AS OCTOBER 2022 BUSINESS OF THE MONTH

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 165-22. Motion carried.

Councilman Divis- Presented Resolution & Certificate to recipients
Mayor DeGeeter – Presented Proclamation to recipients

BY: **R. EUERLE**, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, L.A. KOHAR, K.C. KUSSMAUL, D. LIME, K. SHUMAN, K. ZACHARIAS

A RESOLUTION HONORING DAN MURPHY AS 2022 YOUTH SOCCER COACH OF THE YEAR

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 179-22. Motion carried.

Councilman Euerle – Presented Resolution & Certificate to recipient
Mayor DeGeeter – Presented Proclamation to recipient

Council recessed at 7:02 P.M. to return to Committee Meetings.
Council reconvened at 8:20 P.M.

PUBLIC COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the minutes from the October 3, 2022, Regular Council Meeting Minutes, and the October 6, 2022 Special Council Meeting Minutes. Asked if there were any additions or corrections to the minutes? Stated, hearing none, the minutes will stand approved as printed.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to reconsider the Minutes of September 19, 2022. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to amend the reconsidered minutes of September 19, 2022 to reflect the correct vote by Councilman Kussmaul as “No” for the passage of Ord. No. 90-22. Motion carried.

COMMUNICATIONS, PETITIONS AND CLAIMS

Thank you card from the Donna Smallwood Senior Center thanking City Council for providing drinks for their picnic.

Mr. Divis – Mr. Chairman, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Glen Stacho, 1987 Fay Drive PPN 452-30-019 for an area variance of Section 1153.03(d)(2) – Single Family House Districts-Accessory Uses and Buildings-Regulations, and an area variance of Section 1153.03 (d)(2)(B) – Single Family House Districts-Accessory Uses and Buildings-Regulations.

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

Mr. Divis – Mr. Chairman, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicants Christine & Kenneth Beck, 2825 Ingleside Drive PPN 446-03-083 for a use variance of Section 1153.03 (f)(3) Single Family House Districts- Accessory Uses and Buildings-Home Occupations.

Motion made by Councilman Divis seconded by Councilman Casselberry to grant the variance as recommended by the Board of Zoning Appeals with an additional stipulation added by Planning Committee of Council on a seven (7) dog limit. Motion carried.

Mr. Divis – Mr. Chairman, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Brenda White, 4411 Snow Road PPN 447-02-066 for an area variance of Section 1153.03 (d)(2) – Single Family House Districts- Accessory Uses and Buildings-Regulations, area variance of Section 1153.03 (d) (2) (B) Single Family House Districts-Accessory Uses and Buildings-Regulations.

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

Mr. Divis- Mr. Chairman, the Planning Committee of Council met to discuss the Notice of Proposal to Vary for the Applicant Mike Sheets of Bright Covers, 8201 Ackley Ave PPN 449-17-035 for an area variance of Section 1193.01 Residence Districts; Space Between Buildings, and an area variance of Section 1193.02 Single or Two Family House Districts

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

Request to go into Executive Session regarding Compensation Matter – Ordinance No. 181-22.

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

No: None; Council recessed to go into Executive Session at 8:29 P.M.

Council reconvened the Council Meeting at 8:39 P.M.

AMENDMENT TO THE CALENDAR

Motion made by Councilwoman Lime seconded by Councilman Casselberry to amend the Calendar by accepting Substitute Ordinance No. 131-22 under Third Reading. Motion carried.

FIRST READING:

BY: M. CASSELBERRY
By request - Mayor

ORDINANCE NO. 177-22 10/17/22

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

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

ORDINANCE NO. 180 -22 10/17/22

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

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

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

AN ORDINANCE TO AMEND SECTION 185.07 "FEES FOR EMERGENCY MEDICAL SERVICE" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

SECOND READING:

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

AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO A LICENSE AGREEMENT WITH THE SOUTHWEST ENFORCEMENT BUREAU (SEB) FOR LEASE OF CITY LAND FOR THE PURPOSE OF STROING SEB EMERGENCY VEHICLES AND EQUIPMENT, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Ordinance No. 168-22 back to the Public Safety Committee. Motion carried

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

AN ORDINANCE TO AUTHORIZE THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN ECONOMIC DEVELOPMENT GRANT AWARD AGREEMENT BETWEEN THE CITY OF PARMA AND OATEY COMPANY, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 172-22 back to the Finance Committee. Motion carried

BY: D. LIME, A. DIVIS
(By Request: Safety Director)

AN ORDINANCE TO REPEAL CHAPTER 1713 "MULTIPLE DWELLING REGISTRATION" AND TO ENACT A NEW CHAPTER 1713 "REGISTRATION RENTAL PROPERTIES", OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to refer Ordinance No. 173-22 back to the Public Safety Committee. Motion Carried

SECOND READING SUSPENSION:

Mr. Brenan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 163-22, Resolution No. 166-22, Ordinance No. 169-22, and Ordinance No. 170-22, on three different days be dispensed with?

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

No: None; motion carried.

ORDINANCE NO 163-22

10/3/22

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

AN ORDINANCE TO AMEND SECTION 185.04(a) "FEES OF THE DEPARTMENT OF PUBLIC SAFETY" WITHIN CHAPTER 185 "GENERAL FEES SCHEDULE" RELATING TO THE "OVERNIGHT WINTER PARKING PERMIT FEE" 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 163-22.

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

No: None; Ordinance No. 163-22 is adopted.

RESOLUTION NO. 166-22

10/3/22

BY: M. CASSELBERRY
(By Request- Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION OF REQUISTIIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to amend Resolution No. 166-22 by accepting revised Exhibit "A". Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 166-22 as amended.

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

No: None; Resolution No. 166-22 is adopted as amended.

ORDINANCE NO. 169-22

10/3/22

BY: **D. LIME**, K. SHUMAN, R. EUERLE
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AN EMERGENCY VEHICLE PURCHASE AGREEMENT WITH PENN CARE, INC., UNDER STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR A REPLACEMENT AMBULANCE FOR MEDIC 5 FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt

Ordinance No. 169-22.

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

No: None; Ordinance No. 169-22 is adopted.

ORDINANCE NO. 170-22

10/3/22

BY: **D. LIME**, L. A. KOHAR, K.C. KUSSMAUL, K. SHUMAN, R. EUERLE
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH PFUND SUPERIOR SALES CO., UNDER THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM FOR THE LEASE/PURCHASE OF TWO (2) 2023 CHEVY 5500 4x2 LIFE LINE "CUSTOM HIGHLINER" AMBULANCES FOR THE PARMA FIRE DEPARTMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Euerle seconded by Councilwoman Shuman to adopt Ordinance No. 170-22.

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

No: None; Ordinance No. 170-22 is adopted.

THIRD READING:

ORDINANCE NO. 131-22

8/22/22

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

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE MOST QUALIFIED ARCHITECT/DESIGN FIRM FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE NEW EVENT CENTER / CLUBHOUSE AT RIDGEWOOD GOLF COURSE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to accept substitute Ordinance No. 131-22 which amends the language on the previous Ordinance No. 131-22 as stated in the substitute legislation. Further moved to waive Rule 52, have a roll call vote on rule 45, and place Ordinance No. 131-22 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Substitute Ordinance No. 131-22.

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

No: None; Substitute Ordinance No. 131-22 is adopted.

ORDINANCE NO. 142-22

9/19/22

BY: D. LIME
(By Request – Clerk of Court)

AN ORDINANCE AUTHORIZING THE CLERK OF COURT TO ENTER INTO A CONTRACT WITH PITNEY BOWES FOR THE LEASE OF AN INTEGRATED ELECTRONIC MAILING SYSTEM FOR THE PARMA MUNICIPAL COURT, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 142-22.

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

No: None; Ordinance No. 142-22 is adopted.

ORDINANCE NO 145-22

9/19/22

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 Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 145-22.

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

No: None; Ordinance No. 145-22 is adopted.

ORDINANCE NO. 148-22

9/19/22

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

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 423-06 TO AMEND THE PAY RANGE FOR THE PART-TIME POSITIONS OF BASKETBALL REFEREE (YOUTH AND LAY-UP LEAGUE), AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 148-22.

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

No: None; Ordinance No. 148-22 is adopted.

ORDINANCE NO. 154-22

9/19/22

BY: **A. DIVIS**, D. LIME

AN ORDINANCE TO AMEND SECTION 1501.38 "SURETY BOND REQUIRED; COMPLETION OF WORK" 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. 154-22.

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

No: None; Ordinance No. 154-22 is adopted.

ORDINANCE NO. 161-22

9/19/22

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A 3 YEAR CONTRACT, UNDER THE STATE OF OHIO

PROCUREMENT PRICING, WITH AT&T SWITCHED ETHERNET FOR 11 CITY LOCATIONS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No 161-22.

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

No: None; Ordinance No. 162-22 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan- Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 175-22, Ordinance No. 178-22, Ordinance No. 181-22 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 175-22, Ordinance No. 178-22 and Ordinance No. 181-22 be placed on final passage?

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

No: None; motion carried.

RESOLUTION NO. 175-22

10/17/22

BY: M. CASSELBERRY
(By Request – Auditor)

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

Auditor Day – Stated for the new members of Council, that when the budget is passed, cash transfers are taken from the general fund. Transfers are usually done in 3 parts. Final transfers are done in December to clean up the books. Only what is needed is transferred never any more.

Motion made by Councilman Euerle seconded by Councilman Casselberry to adopt Resolution No. 175-22.

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

No: None; Resolution No. 175-22 is adopted.

ORDINANCE NO. 178-22

10/17/22

BY: M. CASSELBERRY
(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN THE 2022 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Euerle seconded by Councilman Casselberry to adopt Ordinance No. 178-22.

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

No: None; Ordinance No. 178-22 is adopted.

BY: **M. CASSELBERRY**, R. EUERLE
(By Request – Auditor)

AN ORDINANCE TO AMEND A PORTION OF EXHIBIT "A" OF ORDINANCE NO. 348-04 TO AMEND THE JOB DUTIES, SALARY RANGE AND JOB CODE OF "EXECUTIVE SECRETARY TO THE MAYOR", AND DECLARING AN EMERGENCY

Motion made by Councilman Euerle seconded by Councilman Casselberry to adopt Ordinance No. 181-22.

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

No: None; Ordinance No. 181-22 is adopted.

APPOINTMENTS AND CONFIRMATIONS

Councilman Divis – Stated, the Appointment Scanning Committee met to discuss the following appointment.

1. Appointment of Mark Schneider to serve on the Building Board of Appeals. Mr. Schneider’s appointment would be for the remainder of Kelly Zacharias’ term which expires June 18, 2023.

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

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

- Mayor DeGeeter – No comment.
- Safety Director Coury – No comment.
- Service Director Vannello – No comment.
- Auditor Day – No comment
- Staff Attorney Veljkovic – No comment.
- Treasurer Mastroianni – No comment.

Councilman Kussmaul – Thanked the Service Director for the Jeannie Drive pavement project. He also thanked resident Mark Kussmaul for the sticker idea for the Bootification signs. Councilman Kussmaul welcomed Kelly Zacharias to Council.

Councilwoman Lime – Welcomed Kelly Zacharias to Council. Stated that she thought the Bootification Certificates were a great idea. Councilwoman Lime also reminded everyone that the Polish Village Treat N Greet would be held on Saturday, October 22 from 11AM to 2PM.

Councilwoman Shuman – Welcomed Kelly Zacharias to Council.

Councilwoman Zacharias – Thanked everyone for the very warm welcome.

Councilman Casselberry – Welcomed Kelly Zacharias. Reminded everyone that on October 28, from 7 – 9PM the VFW will be hosting a Trunk or Treat Event.

Councilman Dipierro – Welcomed Kelly Zacharias to Council.

Councilman Divis – Welcomed Kelly Zacharias to Council, and thanked everyone for the great turnout for the Taste of the Town Event.

Councilman Euerle – Welcomed Kelly Zacharias to Council, and wished to thank Building Commissioner, Dan Kulchytsky for all his help.

Council President Sean Brennan – Stated that he was so happy with the diversity of our City Council, and also welcomed Kelly Zacharias.

ADJOURNMENT

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adjourn said meeting at 9:05 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 17, 2022.

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

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

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