

**MINUTES
NOVEMBER 21, 2022
REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
7:38 P.M.**

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

COUNCIL MEMBERS PRESENT:	DEBORAH LIME KAMMY SHUMAN KELLY ZACHARIAS MARK CASSELBERRY VITO DIPIERRO ALLAN DIVIS ROB EUERLE LINDA A. KOHAR KEVIN KUSSMAUL
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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: Law Department Staff Attorney Jennifer Meyer, 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, Chief of Staff Rich Summers, Director of Public Housing Amy Waxman, and Clerk of Council Kristin L. Saban.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Mr. Brennan – Asked for a moment of silence for the passing of Dr. Marty Harnisch.

AMENDMENT TO THE CALENDAR

Motion made by Councilwoman Lime seconded by Councilman Casselberry to amend the Calendar by moving Ordinance No. 187-22 and Ordinance No. 188-22 from Second Reading Suspension to Second Reading. In addition, moved to move Ordinance No. 194-22 from Second Reading to Second Reading Suspension. Further moved to amend the Calendar by removing Ordinance No. 203-22. Motion carried.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the minutes from the November 9, 2022, Regular Council Meeting. Asked if there were any additions or corrections to the minutes? Stated hearing none, the minutes will stand as printed. Motion carried.

COMMUNICATIONS, PETITIONS AND CLAIMS

The Parma Board of Zoning Appeals met on Tuesday, November 15, 2022 at 6:35pm and PROPOSED TO VARY, subject to the provisions of amended Ordinances Section 1153.02 (confirmation or rejection by Council within forty days of receipt of this notice) FOR THE APPLICANT Dean Dipiero Law acting agent for Euerle Group, LLC. PPN 442-01-003. After discussion Mr. John Yurkiw made the following recommendations: "I make a motion to recommend to Council to grant Dean Dipiero Law acting agent for Euerle Group, LLC of 5301 Hauserman Rd, Parma, Ohio 44130 has requested variances of the City of Parma Codified Ordinances of Section 1153.02 **Single Family House District**, no building or premises shall be erected, used, arranged or designed to be used, in whole or in part, for other than single-family detached dwellings. The applicant is requesting a variance to operate an indoor/outdoor event and game center at a parcel zoned single-family. This variance would result in a commercial business being operated in the single-family residential district. PPN 442.01-003. The following stipulations to be added: A) No physical connection or building addition ever be constructed allowing egress and ingress between the buildings; B) The hours of operation of the gun range never be extended beyond the current hours of operations so as to coincide with operations and business at the event center; and C) No advertisements or discounts be offered or displayed at the event center for the gun range."

Mrs. Michelle Green 2nd the motion. Mr. Patrick O'Connor, Mr. John Yurkiw, and Mr. George Mastrobuono votes yes to grant the variances. Mr. George Ziefle had to refrain from his vote, he is an employee of the gun range. Also be it noted that variance once granted, shall not be withdrawn or changed unless there is a change of circumstances or if after the expiration of six months no substantial construction is done in accordance with the terms and condition for which such variance was granted. In which case the Building Commissioner shall give notice in writing, and thirty days thereafter the variances will be deemed null and void, and all regulations governing such premises in question shall revert back to those in effect before the variance was granted.

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

FIRST READING:

ORDINANCE NO. 199-22 11/21/22
BY: M. CASSELBERRY

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROJECT LABOR AGREEMENT WITH THE CONSTRUCTION MANAGER AT RISK AND THE CLEVELAND BUILDING AND CONSTRUCTION TRADES COUNCIL FOR THE RIDGEWOOD EVENT CENTER/CLUBHOUSE PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY.

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

ORDINANCE NO. 200-22 11/21/22
BY: D. LIME
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO PURCHASE TWO (2) 2023 CHEVROLET TAHOES FOR THE PARMA FIRE DEPARTMENT, UNDER THE STATE OF OHIO BID PRICING, AND DECLARING AN EMERGENCY.

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

SECOND READING:

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

ORDINANCE NO. 183-22 11/9/22

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 CONSTRUCTION COST FOR THE KRUEGER AVENUE SEWER IMPROVEMENT PROJECT PHASE 2 IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 183-22 back to the Finance Committee. Motion carried.

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

ORDINANCE NO. 184-22 11/9/22

AN ORDINANCE AUTHORIZING THE 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 CONSTRUCTION COST FOR THE EAST LINDEN LANE PUMP STATION RELOCATION AND REPLACEMENT PROJECT IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 184-22 back to the Finance Committee. Motion carried.

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

ORDINANCE NO. 187-22 11/9/22

AN ORDINANCE TO REPEAL SECTION 1705.11 "RENTAL PROPERTY; REGISTRATION REQUIRED; ANNUAL MAINTENANCE INSPECTION" OF CHAPTER 1705 "ADMINISTRATION, ENFORCEMENT AND PENALTY" 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. 187-22 back to the Public Safety Committee. Motion carried.

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

AN ORDINANCE TO AMEND SECTION 1503.02 "APPEALS TO THE BOARD GENERALLY" OF CHAPTER 1503 "BOARD OF BUILDING APPEALS" 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. 188-22 back to the Public Safety Committee. Motion carried.

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 Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 195-22 back to the Finance Committee. Motion carried.

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 Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 196-22 back to the Finance Committee. Motion carried.

SECOND READING SUSPENSION:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Ordinance No. 194-22 on three different days be dispensed with?

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

No: None; motion carried.

BY: **M. CASSELBERRY**, D. LIME, A. DIVIS
(By Request – Mayor)

AN ORDINANCE TO ENGAGE A CONSTRUCTION MANAGER AT RISK (CMR) THAT IS THE "BEST VALUE" AND MOST ADVANTAGEOUS FOR THE CITY OF PARMA FOR CONSTRUCTION SERVICES FOR THE NEW EVENT CENTER/CLUBHOUSE AT RIDGEWOOD GOLF COURSE IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Shuman to amend Ordinance No. 194 as follows: "In the 9th WHEREAS clause, the blanks shall read 1. AM Higley. 2. Turner Construction Company. 3. Regency Construction Services". In the 10th WHEREAS clause, the blank shall read "\$30,000". In the 11th WHEREAS clause, line 2 and line 3 shall both read "AM Higley". In Section 1, line 2, the blank shall read "AM Higley". In Section 2, line 2 the blank shall read "AM Higley", in line 4 the blank shall read "\$30,000" and in lines 8 and 9 the blanks shall both read "AM Higley". Motion carried.

Motion made by Councilwoman Lime seconded by Councilwoman Shuman to adopt Ordinance No. 194-22 as amended.

Yes: Lime, Shuman, Zacharias, Casselberry, Dipierro, Divis, Euerle, Kohar, Kussmaul.
No: None; Ordinance No. 194-22 is adopted as amended.

THIRD READING:

ORDINANCE NO. 173-22

10/3/22

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 amend Ordinance No. 173-22 by accepting Substitute Exhibit A, which amends the language on the previous Exhibit A, as stated in the substitute exhibit. Further moved to refer Ordinance No. 173-22 with Substitute Exhibit A back to the Public Safety Committee as amended. Motion carried.

ORDINANCE NO. 177-22

10/17/22

BY: M. CASSELBERRY
(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 Lime seconded by Councilman Casselberry to adopt Ordinance No. 177-22.

Yes: Lime, Shuman, Zacharias, Casselberry, Dipierro, Divis, Euerle, Kohar, Kussmaul.
No: None; Ordinance No. 177-22 is adopted.

ORDINANCE NO. 180-22

10/17/22

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

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

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 180-22.

Yes: Lime, Shuman, Zacharias, Casselberry, Dipierro, Divis, Euerle, Kohar, Kussmaul.
No: None; Ordinance No. 180-22 is adopted.

ORDINANCE NO. 182-22 10/17/22

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

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 182-22.

Yes: Lime, Shuman, Zacharias, Casselberry, Dipierro, Divis, Euerle, Kohar, Kussmaul.
No: None; Ordinance No. 182-22 is adopted.

SUSPENSION OF THE RULES:

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution 201-22 and Ordinance No. 204-22 on three different days be dispensed with?

Yes: Lime, Shuman, Zacharias, Casselberry, Dipierro, Divis, Euerle, Kohar, Kussmaul.
No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 201-22 and Ordinance No. 204-22 be placed on final passage?

Yes: Lime, Shuman, Zacharias, Casselberry, Dipierro, Divis, Euerle, Kohar, Kussmaul.
No: None; motion carried.

RESOLUTION NO. 201-22 11/21/22

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. 201-22.

Yes: Lime, Shuman, Zacharias, Casselberry, Dipierro, Divis, Euerle, Kohar, Kussmaul.
No: None; Resolution No. 201-22 is adopted.

ORDINANCE NO. 204-22 11/21/22

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 Councilwoman Casselberry seconded by Councilwoman Shuman to amend Ordinance No. 204-22 by accepting Revised Exhibit "A". Motion carried.

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 204-22 as amended.

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

No: None; Ordinance No. 204-22 is adopted as amended.

PUBLIC SESSION

Resident at 6807 Virginia Ave – Commented on the lack of heat in the Council Chambers.

Jeff Minnick of 7627 Key West Drive – Thanked the Mayor and Council for completing the bike lanes on Pearl Road.

Resident – Commented about the dead trees located at Stearns Farms.

Service Director Vannello – Stated the Service Department would be happy to work with Stearns Farms on this and also trimming their trees.

MISCELLANEOUS BUSINESS

Safety Director Coury – No comment.

Service Director Vannello – Stated that the Service Department is still looking for more snow plow contractors.

Auditor Day – Wished everyone a Happy Thanksgiving.

Staff Attorney Meyer – No Comment.

Treasurer Mastroianni – Wished everyone a Happy Thanksgiving and thanked Mrs. Kussmaul for bringing in bakery for everyone to enjoy.

Councilwoman Lime – Reminded everyone that Frosty Fest is December 4 and the parade will begin at 1:00 PM. Also wished everyone a Happy Thanksgiving.

Councilwoman Shuman – No comment.

Councilwoman Zacharias – No comment.

Councilman Casselberry – Wished everyone a Happy Thanksgiving and reminded everyone that Small Business Saturday is November 26. Complimented the Service Department on the holiday light display.

Councilman Dipierro – Congratulated Councilman Euerle and Leah on the birth of their new baby. Also wished everyone a Happy Thanksgiving.

Councilman Divis – Congratulated Councilman Euerle and Leah on the birth of their new baby and complimented the Service Department on the holiday light display. Wished everyone a Happy Thanksgiving.

Councilman Euerle – Thanked Service Director Vannello and his department for finishing the State Road and Ridge Road projects by the end of the year.

Councilwoman Kohar – Thanked Service Director Vannello and his department for finishing the Ridge Road construction and for the nice holiday light display. Wished everyone a Happy Thanksgiving.

Councilman Kussmaul – Thanked Service Director Vannello and his department for the nice holiday light display. Stated that "Joyification" signs for homes with nice holiday displays will be coming. Congratulated Councilman Euerle and Leah on the birth of their new baby.

President of Council Brennan – Congratulated Councilman Euerle and Leah on the birth of their new baby and wished everyone a Happy Thanksgiving.

REPORT ON ABSENT MEMBERS

Motion made by Councilwoman Lime seconded by Councilman Casselberry to excuse Mayor DeGeeter from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adjourn said meeting at 8:05 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, November 21, 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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