

**MINUTES
MARCH 6, 2023
REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
6:39 P.M.**

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

COUNCIL MEMBERS PRESENT:	DEBORAH LIME KAMMY SHUMAN MONICA WILSON KELLY ZACHARIAS MARK CASSELBERRY ROB EUERLE KEVIN KUSSMAUL
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COUNCIL MEMBERS EXCUSED:	ALLAN DIVIS LINDA KOHAR
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Ms. Beeble – 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 Department Staff Attorney Jennifer Meyer, Auditor Brian Day, Service Director Tony Vannello, Safety Director Bob Coury, Communications and Community Relations Director Carolyn Kovach, Recreation Commissioner Mickey Vittardi, Chief of Staff Rich Summers, Chief Deputy Clerk Lisa Beeble and Clerk of Council Kristin L. Saban.

INVOCATION

The Invocation was given by Chief Deputy Clerk Lisa Beeble.

PLEDGE OF ALLEGIANCE

VOICE VOTE

Proclamation and Certificates were presented to T.J.'s Esquire Room, Barber Shop, on their 50th Anniversary.

AMENDMENT TO THE CALENDAR

Motion made by Councilwoman Lime seconded by Councilwoman Shuman to move Resolution No. 27-23 to immediately following Voice Vote. Motion carried.

SUSPENSION OF THE RULES:

Mr. Dipierro – Shall the Statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 27-23 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Dipierro – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 27-23 be placed on final passage?

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

No: None; motion carried.

BY: D. LIME, L. KOHAR, K SHUMAN, K. ZACHARIAS, M. WILSON, M. CASSELBERRY

A RESOLUTION RECOGNIZING MARCH 8, 2023, AS "INTERNATIONAL WOMEN'S DAY, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilwoman Shuman to adopt Resolution No. 27-23.

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

No: None; Resolution No. 27-23 is adopted.

Councilwoman Lime asked the female members of our Police Department to come forward and be recognized. Stated we now have 12 female Officers on the Parma Police Department.

Councilwoman Wilson – Read Proclamation received from the White House on Women’s History Month.

Council reconvened Committee Meetings at 6:55 P.M. and resumed the Council Meeting at 7:10 P.M.

LEGISLATIVE COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Dipierro -Stated, you have before you the Minutes from the February 21, 2023, Regular Council Meeting. Asked if there were any additions or corrections? Stated, hearing none, the Minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS:

Councilman Euerle – Stated, the Planning Committee of Council met this evening to discuss the Notice of Proposal to Vary for the applicant Ubiquitous Design, LTD for Brickrealty, LLC, 2221 Brookpark Road on PPN 445-01-036. The request is for a Variance of Section 1197.05 (27) OFF STREET PARKING AND LOADING FACILITIES SCHEDULE OF REQUIRED PARKING-EATING PLACES, BARS AND TAVERNS. One space per 50 square feet of public floor area is required.

The request is for approval for 44 fewer parking spaces than required by Code.

Motion made by Councilman Euerle seconded by Councilman Casselberry to deny the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

Mr. Chairman, the Planning Committee of Council met this evening to discuss the Notice of Proposal to Vary for the applicant Mittas Holdings, LLC and DGP Properties at 7889 York Road on PPN 456-26-027. The request is for a Variance of Section 1170.08 SCHEDULE OF YARD HEIGHT REGULATIONS. The proposed building is located in Retail Business District and is required by code to have a front building setback of 30 feet. The request is for approval for 25 feet less front building setback than required by Code.

Motion made by Councilman Euerle seconded by Councilman Casselberry to deny the Variance as recommended by the Board of Zoning Appeals and Planning Committee of Council. Motion carried.

Request received from the Ohio Division of Liquor Control for a New C1, C2 Permit to Asian Gift Fashion Cloth, LLC, dba Asian Clothes & Grocery, 5765 Chevrolet Boulevard, Parma, Ohio 44130. Mailed February 15, 2023. Responses must be postmarked no later than March 20, 2023.

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

Request received from the Ohio Division of Liquor Control for a New C1, C2 Permit to CAPL Retail, LLC, dba Joes Kwik Marts, 5206 State Road, Parma, Ohio 44134. Mailed February 22, 2023. Responses must be postmarked no later than February 23, 2024.

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

Request received from the Ohio Division of Liquor Control for a Transfer of a C1, C2 Permit to Eleven Start LLC, dba 7 Eleven 36737 A, 5206 State Road, Parma, Ohio 44134. Mailed February 24, 2023. Responses must be postmarked no later than March 27, 2023.

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

Request received from the Ohio Division of Liquor Control for a New C1, C2 Permit to CAPL Retail LLC, dba Joes Kwik Marts, 6585 Ridge Road, Parma, Ohio 44129. Mailed February 22, 2023. Responses must be postmarked no later than March 27, 2023.

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

FIRST READING:

ORDINANCE NO. 34-23 3/6/23

BY: M. CASSELBERRY
(By Request – Community Services & Economic Development Director)

AN ORDINANCE TO ACCEPT A DONATION OF PROPERTY LOCATED
ON FORESTWOOD DRIVE, PERMANENT PARCEL NUMBER 447-04-073
IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

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

ORDINANCE NO. 36-23 3/6/23

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE
TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER
FOR EQUIPMENT AND GENERAL PAVEMENT SERVICES, AND DECLARING
AN EMERGENCY

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

SECOND READING:

ORDINANCE NO. 28-23

2/21/23

BY: D. LIME, R. EUERLE, K. SHUMAN
(By Request – Community Services/Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO TRANSFER, BY QUIT CLAIM DEED, THE CITY-OWNED VACANT RESIDENTIAL LAND LOCATED AT 7103 DARTWORTH AVENUE (PERMANENT PARCEL NUMBER 448-04-020), 5965 WAREHAM ROAD (PERMANENT PARCEL NUMBER 448-07-105), W. RIDGEWOOD DRIVE (PERMANENT PARCEL NUMBER 446-27-102), W. RIDGEWOOD DRIVE (PERMANENT PARCEL NUMBER 446-27-103), W. RIDGEWOOD DRIVE (PERMANENT PARCEL NUMBER 446-27-001), 3322 COMMONWEALTH DRIVE (PERMANENT PARCEL NUMBER 446-06-024), AND EAST BAGLEY ROAD (PERMANENT PARCEL NUMBER 457-07-005), TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION (PCIC), AND DECLARING AN EMERGENCY

Motion made by Councilman Euerle seconded by Councilman Casselberry to refer Ordinance No. 28-23 back to the Planning Committee. Motion carried.

RESOLUTION NO. 29-23

2/21/23

BY: M. CASSELBERRY
(By Request - Auditor)

A RESOLUTION PERMITTING THE CITY AUDITOR, OR THE BOARD OR OFFICER HAVING SUPERVISION OR MANAGEMENT OF THE PROPERTY, TO UTILIZE THE INTERNET AUCTION FOR SURPLUS ITEMS IN THE 2023 CALENDAR YEAR, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Lime to refer Resolution No. 29-23 back to the Finance Committee. Motion carried.

ORDINANCE NO. 32-23

2/21/23

BY: K. SHUMAN, A. DIVIS

AN ORDINANCE TO AMEND SECTION 636.05 "MENACING" WITHIN CHAPTER 636 "OFFENSES RELATING TO PERSONS" 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. 32-23 back to the Public Safety Committee. Motion carried.

THIRD READING:

ORDINANCE NO. 17-23

2/6/23

BY: D. LIME

AN ORDINANCE TO AMEND THE TRAFFIC CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 17-23.

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

No: None; Ordinance No. 17-23 is adopted.

ORDINANCE NO. 18-23 2/6/23

BY: D. LIME

AN ORDINANCE TO AMEND THE GENERAL OFFENSES CODE OF THE CITY TO CONFORM TO CURRENT STATE LAW, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 18-23.

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

No: None; Ordinance No. 18-23 is adopted.

ORDINANCE NO. 19-23 2/6/23

BY: K. SHUMAN

AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT AND ENACT NEW MATTER IN THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND TO DECLARE AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 19-23.

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

No: None; Ordinance No. 19-23 is adopted.

ORDINANCE NO. 25-23 2/6/23

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

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT AUTHORIZING ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2023 ENERGIZED COMMUNITY GRANT(S) FUNDS, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 25-23.

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

No: None; Ordinance No. 25-23 is adopted.

SUSPENSION OF THE RULES:

Mr. Dipierro – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 35-23, Ordinance No. 38-23, Ordinance No. 39-23 and Ordinance No. 40-23 on three different days be dispensed with?

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

No: None; motion carried.

Mr. Dipierro – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 35-23, Ordinance No. 38-23, Ordinance No. 39-23 and Ordinance No. 40-23 be placed on final passage?

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

No: None; motion carried.

RESOLUTION NO. 35-23

3/6/23

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. 35-23.

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

No: None; Resolution No. 35-23 is adopted.

ORDINANCE NO. 38-23

3/6/23

BY: K. SHUMAN
(By Request – Community Services/Economic Development Director)

AN ORDINANCE AUTHORIZING THE MAYOR TO TRANSFER, BY QUIT CLAIM DEED, THE VACANT LAND OWNED BY THE CITY OF PARMA LAND REUTILIZATION PROGRAM, LOCATED ON SIERRA OVAL (PERMANENT PARCEL NUMBER 455-27-001), TO THE PARMA COMMUNITY IMPROVEMENT CORPORATION (PCIC), AND DECLARING AN EMERGENCY

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to adopt Ordinance No. 38-23.

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

No: None; Ordinance No. 38-23 is adopted.

ORDINANCE NO. 39-23

3/6/23

BY: M. CASSELBERRY
(By Request – Auditor)

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

Motion made by Councilman Casselberry seconded by Councilwoman Lime to amend Ordinance No. 39-23 by accepting revised Exhibit "A". Motion carried.

Motion made by Councilman Euerle seconded by Councilwoman Shuman to adopt Ordinance No. 39-23 as amended.

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

No: None; Ordinance No. 39-23 is adopted as amended.

BY: M. WILSON, M. CASSELBERRY, K. KUSSMAUL, K. SHUMAN, R. EUERLE, D. LIME
(By Request – Service Director)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PASS-THROUGH GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) FOR THE CAPITAL IMPROVEMENT COMMUNITY PARK RECREATION/CONSERVATION PROJECT, AND DECLARING AN EMERGENCY

Councilman Kussmaul – Stated he has lived on Hetzel his whole life and the park has not been updated, in that whole time, and it is much needed. Thanked the Administration and Recreation Director. They had some meetings and will have some more for updating it but it will be a great improvement to the neighborhood. Asked for a favorable passage.

Councilman Casselberry – Stated he is looking forward to a much needed upgrade to Walter’s Grove Park. Thanked the Mayor, Recreation Director and Service Director for their hard work.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to adopt Ordinance No. 40-23.

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

No: None; Ordinance No. 40-23 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – No comment.

Auditor Day – No comment.

Law Department - No comment.

Service Director Vannello – No comment.

Safety Director Coury – No comment.

Councilwoman Lime – Is disappointed that the Post Office on Day Drive has yet to light up their flag even after legislation was adopted. The Congressperson was also involved. Stated it is a disgrace to the Veterans.

Councilwoman Shuman – No comment.

Councilwoman Wilson – No comment.

Councilwoman Zacharias – No comment.

Councilman Casselberry – Congratulated T.J. on his 50 years in business. Wished everyone a Happy St. Patrick’s Day.

Councilman Euerle – No comment.

Councilman Kussmaul – Thanked Mr. Zarzycki for his presentation this evening regarding livestreaming Council Meetings. Also wanted to thank the Service Director and his department for their part in helping secure funding for Hetzel Park.

REPORT ON ABSENT MEMBERS

Motion made by Councilman Casselberry seconded by Councilman Euerle to excuse Councilman Divis and Councilwoman Kohar from said meeting. Motion carried.

ADJOURNMENT

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to adjourn said meeting at 7:31 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, March 6, 2023.

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

/s/ Vito Dipierro
VITO DIPIERRO
PRESIDENT OF COUNCIL

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