

**OCTOBER 3, 2022
REGULAR COUNCIL MEETING
PARMA COUNCIL CHAMBERS
7:03 P.M.**

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

COUNCIL MEMBERS PRESENT: VITO DIPIERRO
 LINDA A. KOHAR
 KEVIN C. KUSSMAUL
 DEBORAH LIME
 KAMMY SHUMAN
 MARK CASSELBERRY

COUNCIL MEMBERS EXCUSED: 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, Law Director Timothy Dobeck, 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, 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. 155-22 10/3/22

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

A RESOLUTION HONORING NATIONAL PIEROGI DAY
SATURDAY, OCTOBER 8, 2022

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Resolution No. 155-22. Motion carried.

PUBLIC COMMENT

No one wished to speak.

DISPOSAL OF JOURNAL

Mr. Brennan – Stated, you have before you the minutes from the September 19, 2022, Regular Council Meeting Minutes. Asked if there were any additions or corrections to the minutes? Stated, hearing none, the minutes will stand approved as printed.

COMMUNICATIONS, PETITIONS AND CLAIMS:

Mrs. Saban – Read the following: The Parma Board of Zoning Appeals met on Tuesday, September 13, 2022 at 6:30 P.M. and proposed to vary, subject to the provision of amended Ordinance 1127.13 (confirmation or rejection by Council within 40 days of receipt of this notice) for applicant Glen Stacho, 1987 Day Drive. PPN 452-30-019.

After discussion, Mr. Mastrobuono made the following recommendation: I make a motion that we recommend to Council to grant Glen Stacho, 1987 Fay Drive has requested an AREA variance of the City of Parma Codified Ordinance Section 1153.03 (d) (2) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS – REGULATIONS. Any owner of recreational equipment may park or store such equipment, not in excess of 24 feet in overall length on property owned by him or her. The applicant is proposing to park 34 feet recreational vehicle on concrete drive. This variance would result in allowing the parking of an RV 10 feet longer than code allows on concrete driveway.

The applicant is also requesting an AREA variance of the City of Parma Codified Ordinance Section 1153.03 (d) (2) (B) – SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS – REGULATIONS. The setback requirement of recreational equipment in the front setback line shall be a minimum of five feet. The applicant is proposing to park an RV two feet from the public sidewalk. This variance would result in allowing the RV to be parked three feet into the setback.

With the stipulation that such vehicle will be stored in winter months from November to April. Also letting him know if he doesn't do this he will be in violation.

Mrs. Michelle Green seconded the motion. Mrs. Green, Mr. Mastrobuono, voted yes. Mr. Ziefle voted no.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to thereafter read the variance application by title only and refer the Variance to the Planning Committee. Motion carried.

The Parma Board of Zoning Appeals met on Tuesday, September 13, 2022 at 6:30 P.M. and proposed to vary subject to the provisions of amended Ordinance 1127.13 (confirmation or rejection by Council within forty days of receipt of this notice) for the applicants Christine and Kenneth Beck, Jr., 2835 Ingleside Drive. PPN 446-03-083.

After discussion, Mrs. Green made the following recommendation:

I make a motion that we recommend to Council to grant Christine and Kenneth Beck, Jr., 2835 Ingleside Drive has requested a USE variance of the City of Parma Codified Ordinance Section 1153.03 (f) (3) SINGLE FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS - HOME OCCUPATIONS. Gainful home occupations may be permitted in residential districts, including dressmaking, interior decorating, arts and crafts or any other similar home occupations, but excluding uses permitted as commercial or industrial uses, and may be conducted in the dwelling. The applicant is requesting to operate a dog day care and boarding business from her home. This variance would result in allowing a business to operate in the Single-family residential district.

Mr. Mastrobuono seconded the motion. Mrs. Green, Mr. Mastrobuono and Mr. Ziefle voted yes.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to thereafter read the variance application by title only and refer the Variance to the Planning Committee. Motion carried.

The Parma Board of Zoning Appeals met on Tuesday, September 13, 2022 at 6:30 P.M. and proposed to vary subject to the provisions of amended Ordinance 1127.13 (confirmation or rejection by Council within forty days of receipt of this notice) for the applicant Brenda White, 4411 Snow Road. PPN 447-02-066.

After discussion George Mastrobuono made the following motion:

I make the motion that we recommend to Council to grant the following variance to Brenda White, 4411 Snow Road, Parma, Ohio 44134, has requested an AREA variance of the City of Parma Codified Ordinance Section 1153.03 (d) (2) – SINGLE FAMILY HOUSE DISTRICTS ACCESSORY USES AND BUILDINGS – REGULATIONS. Any owner of recreational equipment may park or store such equipment in excess of 24 feet in overall length on property owned by him or her. The applicant is proposing to park a 29 ft. recreational vehicle on her property. This variance would result in allowing the parking of an RV 5 feet longer than code allows on her property.

The applicant is also requesting an AREA variance of the City of Parma Codified Ordinance Section 1153.03 (d) (2) (B) SINGLE-FAMILY HOUSE DISTRICTS – ACCESSORY USES AND BUILDINGS – REGULATIONS. If the recreational equipment is parked or stored outside of a garage it may be parked or stored anywhere on the premises upon an approved driveway and/or parking pad. The applicant is proposing to park an RV on a gravel pad. This variance will allow the parking of an RV not on a concrete driveway.

Mrs. Michelle Green seconded the motion. Mrs. Green, Mr. Mastrobuono and Mr. Ziefle voted yes.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to thereafter read the variance application by title only and refer the Variance to the Planning Committee. Motion carried.

The Parma Board of Zoning Appeals met on Tuesday, September 13, 2022 at 6:30 P.M. and proposed to vary subject to the provisions of amended Ordinance 1127.13 (confirmation or rejection by Council within forty days of receipt of this notice) for the applicant Mike Sheets of Bright Covers at 8201 Ackley Road. PPN 449-17-035.

After discussion Michelle Green made the following recommendation:

I make the motion that we recommend to Council to grant the following variances to Mike Sheets of Bright Covers, 3453 West 130th Street, Cleveland, Ohio 44111, has requested an AREA variance of the City of Parma Codified Ordinance Section 1193.01 RESIDENCE DISTRICTS; SPACE BETWEEN BUILDINGS. In a residence district each main building shall have a yard along each side lot line. The sum of the widths of the side yards of an interior lot in a residence district shall be not less than ten feet at any point. No dwelling house shall be erected less than ten feet from any other building in a residence district. The applicant is proposing a dwelling addition 2’8” from an existing dwelling with side yards totaling 5 feet wide. This variance would allow for the construction of a dwelling addition 7’4” closer to another dwelling than code allows with side yard widths totaling 5 feet less than code allows.

The applicant is also requesting an AREA variance of the City of Parma Codified Ordinance Section 1193.02 SINGLE OR TWO FAMILY HOUSE DISTRICTS. In a Single or Two Family House District, the interior side yard shall be not less than three feet from any point of a lot of less than sixty feet in width and not less than five feet at any point of a lot of sixty or more feet in width. The applicant is proposing an interior side yard width of 2’8” on a 45 foot lot. This variance would allow for an interior side yard width of 4 inches less than code allows on a 45 foot lot.

Mr. George Mastrobuono seconded the motion. Mrs. Green, Mr. Mastrobuono and Mr. Ziefle voted yes.

There is a stipulation that such structure would not be enclosed or used for grilling or open fires.

Motion made by Councilwoman Shuman seconded by Councilman Casselberry to thereafter read the variance application by title only and refer the Variance to the Planning Committee. Motion carried.

Request from the Ohio Division of Liquor Control for a Stock D1, D2, D6, Permit to Fred W. Albrecht Grocery Company, dba Acme Fresh Market 20, 1225 Pleasant Valley Road, Parma, Ohio 44134. Mailed September 9, 2022. Responses must be postmarked no later than October 11, 2022.

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

Request from the Ohio Division of Liquor Control for a New D2 Permit to Hudrest, LLC, dba Cozumel Mexican Restaurant, 2071 Snow Road, Parma, Ohio 44131. Mailed September 22, 2022. Responses must be postmarked no later than October 24, 2022.

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

Request from the Ohio Division of Liquor Control for a new D1 Permit to Watami Revolving Sushi Inc., 7426 Broadview Road, Parma, Ohio 44134. Mailed September 22, 2022. Responses must be postmarked no later than October 24, 2022.

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

AMENDMENT TO THE CALENDAR

Motion made by Councilwoman Lime seconded by Councilman Casselberry to amend the Calendar by moving proposed legislation from Suspension of the Rules to First Reading. Motion carried.

FIRST READING:

RESOLUTION NO. 140-22 10/3/22
BY: D. LIME, K. SHUMAN

A RESOLUTION SUPPORTING "BREAST CANCER AWARENESS MONTH"
IN THE MONTH OF OCTOBER 2022, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Governmental Operations Committee.

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 FEE SCHEDULE"
RELATING TO THE "OVERNIGHT WINTER PARKING PERMIT FEE" OF THE
CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN
EMERGENCY

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

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

A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR THE URBAN CANOPY RESTORATION GRANT PROGRAM, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Resolution will be referred to the Public Service Committee.

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

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

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

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION (OPWC) STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM FOR THE STATE ROAD EMERGENCY PAVEMENT REPLACEMENT PROGRAM NEAR W. RIDGEWOOD DRIVE, AND DECLARING AN EMERGENCY

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

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 STORING SEB EMERGENCY VEHICLES AND EQUIPMENT, AND DECLARING AN EMERGENCY

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

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

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

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

BY: D. LIME
(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

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

BY: K. KUSSMAUL
(By Request – Mayor)

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A PROJECT DEVELOPMENT AGREEMENT FOR WEST CREEK GREENWAY WITH THE BOARD OF PARK COMMISSIONERS FOR THE CLEVELAND METROPARKS AND WESTCREEK CONSERVANCY, AND DECLARING AN EMERGENCY

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

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

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

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

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

SECOND READING:

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 Councilman Casselberry seconded by Councilwoman Shuman to refer
Ordinance No. 142-22 back to the Finance Committee. Motion carried.

BY: MARK CASSELBERRY
(By Request – Auditor)

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND
EXPENDITURES OF THE CITY OF PARMA, OHIO, DURING THE PERIOD FROM
JANUARY 1, 2023, TO AND INCLUDING MARCH 31, 2023, AND DECLARING
AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Shuman to refer
Ordinance No. 143-22 back to the Finance Committee. Motion carried.

BY: MARK 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 Councilman Casselberry seconded by Councilwoman Shuman to refer
Ordinance No. 145-22 back to the Finance Committee. Motion carried.

ORDINANCE NO. 148-22

9/19/22

BY: MARK 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 Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 148-22 back to the Finance Committee. Motion carried.

ORDINANCE NO. 153-22

9/19/22

BY: A. DIVIS

AN ORDINANCE TO REPEAL CHAPTER 1519 "SIGN REGULATIONS" AND TO ENACT A NEW CHAPTER 1196 "SIGN REGULATIONS", OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Shuman seconded by Councilwoman Lime to refer Ordinance No. 153-22 back to the Planning Committee and to the Finance Committee. Motion carried.

ORDINANCE NO. 154-22

9/19/22

BY: A. DIVIS

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 Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 154-22 back to the Finance Committee. Motion carried.

ORDINANCE NO. 156-22

9/19/22

BY: A. DIVIS

AN ORDINANCE TO AMEND A PORTION OF DIVISION (b) "RECREATION DEPARTMENT" OF SECTION 185.05 "FEES OF THE DIRECTOR OF PUBLIC SERVICE", AND SECTION 961.07 "MERCHANDISING, ADVERTISING AND SIGNS" RELATIVE TO SIGNS IN PARKS AND RECREATIONAL FACILITIES, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 156-22 back to the Finance Committee. Motion carried.

BY: A. DIVIS

AN ORDINANCE TO AMEND NUMEROUS CODE SECTIONS IN THE PARMA CODIFIED ORDINANCES RELATIVE TO THE SIGN CODE, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Shuman seconded by Councilwoman Lime to refer Ordinance No. 157-22 back to the Planning Committee and to the Finance Committee. Motion carried.

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 Councilman Casselberry seconded by Councilwoman Shuman to refer Ordinance No. 161-22 back to the Finance Committee. Motion carried.

THIRD READING:

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

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH DLZ OHIO, INC., TO PROVIDE ON AN "AS NEEDED BASIS" PROFESSIONAL ENGINEERING SERVICES FOR THE CITY-WIDE STORMWATER MANAGEMENT PROGRAM, STATE/FEDERAL INFRASTRUCTURE FUNDING ASSISTANCE, INCLUDING VARIOUS AGENCIES SUCH AS FEMA, U.S. EPA, OHIO EPA, OPWC, NOACA, NEORS, CWD, AND CURRENT INFRASTRUCTURE BILL GRANT PROGRAMS FOR LOCAL GOVERNMENT, AND DECLARING AN EMERGENCY

Motion made by Councilman Casselberry seconded by Councilwoman Shuman to amend Ordinance No. 134-22 as follows: In Section 1, after "services", the wording shall be "at a cost per the attached schedule". Further moved to waive Rule 52 and place Ordinance No. 134-22 on Third Reading for final passage as amended. Motion carried.

Motion made by Councilman Casselberry seconded by Councilwoman Lime to adopt Ordinance No. 134-22 as amended.

Yes: Dipierro, Kohar, Kussmaul, Lime, Shuman, Casselberry.

No: None; Ordinance No. 134-22 is adopted as amended.

BY: V. DIPIERRO, D. LIME, M. CASSELBERRY, K. SHUMAN
(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 PRINCE & IZANT COMPANY, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Casselberry to adopt Ordinance No. 135-22.

Yes: Dipierro, Kohar, Kussmaul, Lime, Shuman, Casselberry.

No: None; Ordinance No. 135-22 is adopted.

PUBLIC SESSION

No one wished to speak.

MISCELLANEOUS BUSINESS

Mayor DeGeeter – No comment.
Safety Director Coury – No comment.
Service Director Vannello – No comment.
Law Director Dobeck – No comment.
Treasurer Mastroianni – No comment.

Councilman Kussmaul – Commended Clerk of Council Saban on her first meeting.
Motion made by Councilman Dipierro seconded by Councilwoman Lime to dispense with the Round Robin portion of Council Meeting. Motion carried.

REPORT ON ABSENT OFFICIALS

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

ADJOURNMENT

Motion made by Councilman Dipierro seconded by Councilwoman Shuman to adjourn said meeting at 7:29 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 3, 2022.

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

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