

**MINUTES  
OCTOBER 4, 2021  
REGULAR COUNCIL MEETING  
PARMA COUNCIL CHAMBERS  
7:02 P.M.**

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

COUNCIL MEMBERS PRESENT:	KAMMY SHUMAN VITO DIPIERRO ALLAN DIVIS ROY J. JECH LINDA A. KOHAR DEBORAH LIME LARRY NAPOLI KRISTIN L. SABAN
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COUNCIL MEMBER EXCUSED:	MARK CASSELBERRY
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Ms. Jones – 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 G. Dobeck, Auditor Brian Day, Treasurer Tom Mastroianni, Service Director Brian Higgins, Safety Director Thomas Weinreich, Recreation Commissioner Mickey Vittardi, Chief of Staff Rich Summers, and Deputy Clerk Karen Jones.

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**INVOCATION**

The Invocation was given by Karen Jones.

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**PLEDGE OF ALLEGIANCE**

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**VOICE VOTE:**

	RESOLUTION NO. 164-21	10/4/21
BY:	R.J. JECH, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, L.A. KOHAR, D. LIME, L. NAPOLI, K.L. SABAN, K. SHUMAN	

A RESOLUTION HONORING CLEVELAND METROPARKS 2021 GOLD MEDAL  
AWARD "BEST IN NATION"

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Resolution No. 164-21. Motion carried.

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**LEGISLATIVE COMMENT**

No one wished to speak.

## **DISPOSAL OF JOURNAL**

Mr. Brennan – Stated, you have before you the Minutes from the Regular Council Meeting from September 20, 2021. Asked if there were any additions or corrections to the Minutes? Stated, hearing none, the Minutes will stand approved as printed.

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- **Council recessed Council Meeting at 7:05 pm to hold Executive Session regarding Collective Bargaining Agreement between the City of Parma and the International Association of Fire Fighters Local 639.**
  - **Council reconvened Council Meeting at 7:30 pm**
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## **COMMUNICATIONS, PETITIONS AND CLAIMS**

Councilman Divis – Stated, the Planning Committee of Council met this evening to discuss the Notice of Proposal to Vary for the applicant John Calvillo, 2423 Fortune Avenue. The first request is for an "Area" Variance of Section 1153.03 (b)(2) Single Family House Districts – Accessory Uses and Buildings – Regulations – Parking Areas. The second request is for an "Area" Variance of Section 1153.03 (b)(6) – Family House Districts – Accessory Uses and Buildings – Regulations – Parking Areas.

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

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Councilman Divis – Stated, the Planning Committee of Council met this evening to discuss the Notice of Proposal to Vary for the applicant Paul Ash, 7205 Greenleaf Avenue. The request is for an "Area" Variance of Section 1153.03 (a) Single Family House Districts – Accessory Uses and Buildings.

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

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Councilman Divis – Stated, the Planning Committee of Council met this evening to discuss the Notice of Proposal to Vary for the applicants Steven & Jennifer Hondroudakis, 5972 Westminster Drive. The request is for a "Use" Variance of Section 1153.02 Single Family House Districts – Principal Uses and Buildings.

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

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Councilman Divis – Stated, the Planning Committee of Council met this evening to discuss the Notice of Proposal to Vary for the applicant Dvora Nelson, 5370 Pearl Road. The request is for a "Use" Variance of Section 1170.03 – Commercial/Office Districts – Schedule of Permitted Buildings and Uses.

Motion made by Councilman Divis seconded by Councilman Jech to grant the Variance with the following stipulations:

- Variance will be valid only with this applicant and expire if this applicant discontinues use of this property
- Development Agreement be in place prior to occupancy

- City of Parma Fire Department may require a sprinkler and/or fire alarm system, due to the possibility of extra security at the doors and on the windows, which could affect egress or firefighting operations
- Provide Educational/Community Outreach

Motion carried.

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Councilman Divis – Stated, the Planning Committee of Council met this evening to discuss the Notice of Proposal to Vary for the applicant Dvora Nelson, 5827 Pearl Road. The request is for a “Use” Variance of Section 1170.03 – Commercial/Office Districts – Schedule of Permitted Buildings and Uses.

Motion made by Councilman Divis seconded by Councilman Jech to deny the Variance, as recommended by the Board of Zoning Appeals and Planning Committee of Council.

Councilman Jech asked why the Variance for this property is being denied?

Councilwoman Lime stated that she and Police Chief Bobak had looked at the property and both agreed that the property is not safe and secure for its intended use and that in addition, there is not adequate parking at this location.

Councilman Jech asked if denial of this Variance affects the approval of the Variance at 5370 Pearl Rd?

Councilwoman Lime stated that the State of Ohio is doing a lottery to award 7 medical marijuana dispensary locations in Cuyahoga County. She further stated that each business owner must get all their paperwork, permits, and zoning applications approved for a potential dispensary location to be entered into the lottery; each location is looked at separately.

Councilman Jech asked if a business owner can have more than one location approved?

Councilwoman Lime stated that at the local level there can be more than one approval.

Mayor DeGeeter stated that a Variance approval is only one part of the state’s process to enter the lottery and this does not mean that Parma will have a medical marijuana dispensary at a location where a Variance is approved.

Motion carried.

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## **FIRST READING:**

ORDINANCE NO. 167-21 10/4/21

BY: M. CASSELBERRY, V. DIPIERRO, A. DIVIS, R.J. JECH, L.A. KOHAR, D. LIME, L. NAPOLI,  
K.L. SABAN, K. SHUMAN  
(By Request – Mayor)

AN ORDINANCE TO AMEND SECTIONS 105.02 TO 105.11 OF THE CODIFIED  
ORDINANCES OF THE CITY OF PARMA, RELATING TO THE SUBDIVISION OF  
THE CITY OF PARMA INTO NINE WARDS, AND DECLARING AN EMERGENCY

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

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ORDINANCE NO. 169-21 10/4/21

BY: D. LIME

AN ORDINANCE TO AMEND SECTION 1197.13 “REQUIRED TRASH COLLECTION  
AREAS” WITHIN CHAPTER 1197 “OFF STREET PARKING AND LOADING  
FACILITIES” REGARDING GATE CLOSURES AND ADDITIONAL HEIGHT IN  
GENERAL BUSINESS TRASH COLLECTION, AREAS IN THE CODIFIED  
ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Mr. Brennan – Said Ordinance will be referred to the Planning Committee and Planning Commission.

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ORDINANCE NO. 171-21 10/4/21

BY: D. LIME  
(By Request – Building Commissioner)

AN ORDINANCE TO AMEND SECTION 1529.23 "FENCES, HEDGES AND TRELLISES" IN CHAPTER 1529 "GENERAL BUILDING REGULATIONS" OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA, RELATING TO STAMPED BOUNDARY SURVEYS, AND DECLARING AN EMERGENCY

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

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ORDINANCE NO. 172-21 10/4/21

BY: K.L. SABAN  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A TWO YEAR CONTRACT WITH THE CUYAHOGA COUNTY GENERAL HEALTH DISTRICT TO PROVIDE PUBLIC HEALTH SERVICES FOR THE CITY OF PARMA RESIDENTS FOR THE YEARS 2022 AND 2023, APPROPRIATING THE SUM OF \$486,876.00 FOR 2022 AND \$535,564.00 FOR 2023, AND DECLARING AN EMERGENCY

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

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**SECOND READING:** None

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**THIRD READING:**

ORDINANCE NO. 106-21 7/6/21

BY: R.J. JECH

AN ORDINANCE TO AMEND SECTION 1189.09 "FRONT YARD EXCEPTIONS" IN CHAPTER 1189 "FRONT YARDS" OF PART ELEVEN "PLANNING AND ZONING CODE" OF THE PARMA CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilman Divis to adopt Ordinance No. 106-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Ordinance No. 106-21 is adopted.

ORDINANCE NO. 137-21

8/2/21

BY: **R.J. JECH**, A. DIVIS, L.A. KOHAR, D. LIME, L. NAPOLI, K.L. SABAN

AN ORDINANCE TO REZONE PERMANENT PARCEL NUMBERS 451-41-001 AND 451-41-008, LOCATED ON BROADVIEW ROAD FROM OFFICE BUILDING/SINGLE FAMILY DISTRICT TO RETAIL BUSINESS DISTRICT, IN THE CITY OF PARMA

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Ordinance No. 137-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Ordinance No. 137-21 is adopted.

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ORDINANCE NO. 145-21

8/2/21

BY: **R.J. JECH**, A. DIVIS  
(By Request – Building Commissioner)

AN ORDINANCE TO AMEND SECTION 1153.03 "ACCESSORY USES AND BUILDINGS" WITHIN CHAPTER 1153 "SINGLE-FAMILY HOUSE DISTRICTS" REVISING THE PARKING AREA ALLOWABLE ON RESIDENTIAL PROPERTIES IN THE CODIFIED ORDINANCES OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Resolution No. 145-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Ordinance No. 145-21 is adopted.

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**SUSPENSION OF THE RULES:**

Mr. Brennan – Shall the statutory provision and Rule 48 requiring the full and distinct reading of Resolution No. 158-21, Resolution No. 159-21, Resolution No. 165-21, Ordinance No. 166-21, Resolution No. 168-21, Ordinance No. 170-21, Ordinance No. 173-21, Resolution No. 174-21, and Resolution No. 175-21 on three different days be dispensed with?

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; motion carried.

Mr. Brennan – Shall Rule 45 requiring reference to committee be dispensed with and Resolution No. 158-21, Resolution No. 159-21, Resolution No. 165-21, Ordinance No. 166-21, Resolution No. 168-21, Ordinance No. 170-21, Ordinance No. 173-21, Resolution No. 174-21, and Resolution No. 175-21 be placed on final passage?

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; motion carried.

RESOLUTION NO. 158-21

10/4/21

By: K.L. SABAN, D. LIME, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, R.J. JECH, L.A. KOHAR, L. NAPOLI, K. SHUMAN

A RESOLUTION SUPPORTING "BREAST CANCER AWARENESS MONTH" IN THE MONTH OF OCTOBER 2021, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Resolution No. 158-21.

Councilwoman Saban – Stated that she wears pink in honor of a very good friend of hers and also an Aunt that passed away from breast cancer and that this cause is near and dear to her heart.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Resolution No. 158-21 is adopted.

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RESOLUTION NO. 159-21 10/4/21  
BY: K.L. SABAN, M. CASSELBERRY, V. DIPIERRO, A. DIVIS, R.J. JECH, L.A. KOHAR, D. LIME,  
L. NAPOLI, K. SHUMAN

A RESOLUTION SUPPORTING "FIRE PREVENTION MONTH" AND "FIRE  
PREVENTION WEEK", AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Resolution No. 159-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Resolution No. 159-21 is adopted.

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RESOLUTION NO. 165-21 10/4/21  
By: V. DIPIERRO, A. DIVIS, R.J. JECH, L.A. KOHAR, D. LIME, L. NAPOLI, K.L. SABAN, K.  
SHUMAN

A RESOLUTION SUPPORTING WEST CREEK CONSERVANCY'S CLEAN OHIO  
GREENSPACE ROUND 16 GRANT APPLICATION FOR THE BALDWIN CREEK  
GREENWAY BY THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Resolution No. 165-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Resolution No. 165-21 is adopted.

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ORDINANCE NO. 166-21 10/4/21  
BY: D. LIME  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SAFETY  
TO ENTER INTO A CONTRACT WITH STEPHEN CAMPBELL ASSOCIATES (SCA),  
SOLE SOURCE PROVIDER FOR THE PURPOSE OF AN EVENTIDE NEXLOG 740  
RECORDING SYSTEM AND APPLICATION SOFTWARE FOR THE  
COMMUNICATIONS CENETER, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Ordinance No. 166-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Ordinance No. 166-21 is adopted.

RESOLUTION NO. 168-21

10/4/21

BY: K.L. SABAN  
(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 Councilman Jech seconded by Councilwoman Saban to adopt Resolution  
No. 168-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Resolution No. 168-21 is adopted.

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ORDINANCE NO. 170-21

10/4/21

By: K.L. SABAN  
(By Request – Auditor)

AN ORDINANCE TO AMEND THE 2021 PERMANENT APPROPRIATIONS OF THE  
CITY OF PARMA, OHIO, AND DECLARING AN EMERGENCY

Motion made by Councilwoman Saban seconded by Councilman Jech to amend  
Ordinance No. 170-21 by accepting the revised Exhibit A. Motion carried.

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Ordinance  
No. 170-21 as amended.

Councilwoman Lime asked Auditor Day or Recreation Commissioner Vittardi to explain  
why an amendment to the permanent appropriations is needed?

Recreation Commissioner Vittardi stated that an amendment to budgeted sales tax for  
the golf course is necessary because sales are better than anticipated. Further stated that this  
amendment will get the golf course through the remainder of the year.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.

No: None; Ordinance No. 170-21 is adopted as amended.

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ORDINANCE NO. 173-21

10/4/21

BY: **D. LIME**, K. SHUMAN, A. DIVIS, R.J. JECH, L.A. KOHAR, L. NAPOLI, K.L. SABAN  
(By Request – Safety Director)

AN ORDINANCE APPROVING AND RATIFYING A COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE CITY OF PARMA AND THE INTERNATIONAL  
ASSOCIATION OF FIRE FIGHTERS, LOCAL 639, AFL-CIO ENDING DECEMBER 31,  
2023, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND  
DECLARING AN EMERGENCY

Motion made by Councilwoman Lime seconded by Councilman Jech to amend Ordinance  
No. 173-21 by changing the contract expiration date in the title and in Section 1 to December  
31, 2023. Motion carried.

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Ordinance  
No. 173-21 as amended.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.  
No: None; Ordinance No. 173-21 is adopted as amended.

RESOLUTION NO. 174-21 10/4/21

BY: **R.J. JECH**, K. SHUMAN, A. DIVIS, L.A. KOHAR, D. LIME, L. NAPOLI, K.L. SABAN  
(By Request – Mayor)

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR A GRANT TO THE  
NORTHEAST OHIO AREA WIDE COORDINATING AGENCY (NOACA), FOR THE  
TRANSPORTATION FOR LIVABLE COMMUNITIES INITIATIVE (TLCI), AND  
DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Resolution  
No. 168-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.  
No: None; Resolution No. 174-21 is adopted.

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RESOLUTION NO. 175-21 10/4/21

BY: K. SHUMAN, V. DIPIERRO, A. DIVIS, L.A. KOHAR, R.J. JECH, D. LIME, L. NAPOLI, K.L.  
SABAN

A RESOLUTION IN SUPPORT OF HOUSE BILL 437 ENACTING SECTION 2911.14  
OF THE OHIO REVISED CODE TO CREATE THE OFFENSE OF POSTAL PACKAGE  
THEFT, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech seconded by Councilwoman Saban to adopt Resolution  
No. 175-21.

Yes: Shuman, Dipierro, Divis, Jech, Kohar, Lime, Napoli, Saban.  
No: None; Resolution No. 175-21 is adopted.

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### PUBLIC SESSION

Anthony Hyatt, President, International Association of Firefighters, Local 639 – Thanked  
Council for unanimously ratifying the contract tonight.

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### MISCELLANEOUS BUSINESS

Mayor DeGeeter – Thanked Council for passing the firefighter’s contract and further  
thanked Local 639 Union President Anthony Hyatt for stopping by to speak to Council.

Safety Director Weinreich – No comment.

Auditor Day – No comment.

Law Director Dobeck – No comment.

Service Director Higgins – No comment.

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Motion made by Councilman Jech seconded by Councilman Divis to dispense with the  
Round Robin. Motion carried.

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### REPORT ON ABSENT MEMBERS

Motion made by Councilman Jech seconded by Councilwoman Saban to excuse  
Councilman Casselberry from said meeting. Motion carried.

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**ADJOURNMENT**

Motion made by Councilman Jech seconded by Councilman Napoli to adjourn said meeting at 8:08 P.M. Motion carried.

**CERTIFICATION**

I, Kenneth A. Ramser, 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 4, 2021.

/s/Kenneth A. Ramser  
Kenneth A. Ramser  
Clerk of Council

/s/Sean P. Brennan  
Sean P. Brennan  
President of Council

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