

THE CITY OF PARMA HEIGHTS  
COUNCIL MEETING MINUTES  
OCTOBER 28, 2019

PRESENT: Council President Gallo, Council Members Koch, Everett, Danczak, McCall, Stavole and Clerk of Council Bohdan.

ALSO PRESENT: Mayor Byrne, Law Director Pokorny, Director of Finance Iaconis, Director of Public Service Patten, Director of Recreation Tal and Assistant Law Director Schneider.

ABSENT: Councilman Verdile and Engineer Neff.

The meeting was called to order by Council President Gallo at 8:00 p.m.

Pledge of Allegiance

Councilman McCall motioned seconded by Councilwoman Koch to excuse the absence of Councilman Verdile.

Aye: McCall, Danczak, Gallo and Koch

Nay: Everett, Stavole

**COUNCILMAN VERDILE IS EXCUSED FROM THE OCTOBER 28, 2019 COUNCIL MEETING.**

Councilman McCall motioned seconded by Councilwoman Danczak to approve the October 15, 2019 Council meeting minutes.

Aye: Danczak, Gallo, Koch, Stavole, Everett and McCall

Nay: None

**OCTOBER 15, 2019 COUNCIL MEETING MINUTES APPROVED.**

The Mayor introduced representatives from UH Parma Medical Center, Dr. Paul Poommipanit, Interventional Cardiologist, Mary Beth Talerico, Manager, Business Development and Community Outreach and Dan Ellenberger, Director, Emergency Training and Disaster Preparedness. They presented to Asst. Chief Finneran and the Parma Heights Fire Department the Lifeline EMS Recognition, which recognizes the role EMS plays when a patient is suffering from a cardiac emergency. Their role is crucial and often sets the course for the patient's outcome. The award celebrates the achievement of the pre-hospital providers and their collaboration with each other and destination hospitals specific to the patient's care.

Joe Tal, Director of Recreation

- No report.

Joe Sebes, Director of Community and Economic Development

- No report.

Dan Neff, Engineer

- No report in his absence.

Dennis Patten, Director of Public Service

- Service Department started leaf collection 10/28/2019.
- Director Patten stated the first generator was set last week at the Service Department; the next generator will come late next week. Three weeks out, we should be starting them.

Councilman Stavole asked if being set meant they are not connected, Director Patten replied that they are being wired.

Katie Iaconis, Director of Finance and Personnel

- The City received reimbursement for the bus the City purchased last year.
- The Finance Department will be submitting for a reimbursement from NOPEC for the Library roof repair.
- At the November 12<sup>th</sup> meeting, we will start reviewing the 2020 Budget and the final appropriations for 2019.

Mayor Michael Byrne

- The Mayor acknowledged and thanked the Historical Society for the successful Pumpkin Painting event.
- The Mayor acknowledged the P.A.C.T. group and their Halloween fundraiser and thanked Councilwoman Koch who attended; she has been very active with this group.
- The Mayor acknowledged the artwork that is displayed throughout City Hall, which is provided by Parma Park Elementary School.
- The Mayor stated that the City has been granted assistance from ODOT for the Independence Bridge Project. ODOT will cover 95% of the project.

Councilman McCall commented that the Fire Department did a great job yesterday, one of the residents on his street fell and they provided great care.

**PUBLIC SESSION**

Council President Gallo reminded the audience if they have a comment to stand, state their name, address and city if they live outside of Parma Heights and there is a three-minute limit to speak. All comments will be directed to the Council President.

Bruce Edwards, 6348 Big Creek Parkway, stated that the residents of Big Creek face a situation very familiar to Council; they face a duality of governments over the control of the front part of their property with Parma Heights and the MetroParks. They understand the need for the sidewalks to be repaired but because they are having trouble finding a contractor at this time of the year and how late the winters can run, he is asking if the City can work with them and give them a 8 month extension so they can work with the contractor and get a volume discount. He also stated that they all have no or very poor drainage due to the decision by the MetroParks to fill in the drains, which has caused the lifting of the sidewalks. They would like the City to get involved with helping them with the MetroParks to get this situation resolved.

Carol Maragne, 6334 Big Creek Parkway, she stated her sidewalks have been lifted because of the trees. The Park owns the trees, she doesn't know if they own the sidewalk or if the homeowner owns the sidewalk, but to lift the sidewalk they would have to cut the roots, but you can't touch Park trees. Ms. Maragne stated even if she could get someone in to cut the trees, they can't and that is a problem. She feels the Park needs to fix the sidewalks and not the homeowner. Ms. Maragne also wanted to know why Parma Heights doesn't have snowplowing for seniors like other communities.

Rinaldo Mancini, 6386 Big Creek Parkway, stated he is at the low point where all the water collects at the entrance to his driveway, which before the culvert was removed, my driveway was fine. After they removed the culvert, the metal that is below ground is rusted out, the sidewalk has dropped below the road and there is a problem with the sewers. Mr. Mancini either said his problem is that whenever it rains or snows his driveway is under water or covered with ice.

Simona Urs, 6400 Big Creek Parkway, she stated that the comments about the sidewalks that have been made apply to her property too. Ms. Urs stated that she has fixed the sidewalks multiple times in the past; she feels the lack of a proper drainage system will make the problem continue. She also stated the roots are raising the sidewalks every year and the ability to not be able to remove the trees will cause further damage to the sidewalks. She asked for a solution to this problem. She does not feel it is feasible to correct the problem in the 30 day deadline, she is asking for a reasonable solution with the City and the MetroParks.

Resident from Big Creek Parkway, stated she wants to give an option of getting rid of the sidewalks, from W. 130<sup>th</sup> going into Middleburg Heights there are no sidewalks and there is a walking trail.

Pat Marecki, 6320 Big Creek Parkway, she had her sidewalks leveled a year ago and it cost \$378, but she agrees the trees are the issue. The MetroPark owns the trees, we are not allowed to touch them, she has been waiting about a year for them to come and trim a massive tree that is on her property and has killed the grass underneath it. She commented the MetroParks is hard to get in touch with and they don't want to take responsibility for the trees. She asked if the City owns the sidewalks.

Director Patten replied the sidewalk is in the public right away but the homeowner has to maintain them.

Ms. Marecki commented if the MetroPark won't take care of the trees the resident are going to have to keep fixing their sidewalks, she agrees that the sidewalks should be removed.

Director Patten stated he would get in touch with the MetroParks and set up a meeting with them and the City Engineer and try to resolve the issues.

Cheryl Kennedy, 6328 Big Creek Parkway, stated that the property line for them because the MetroPark owns about 30 ft. of their property, the sidewalks are not on their property. She commented that they don't take care of the trees, you are not allowed to touch them, the sidewalks buckling is due to them filling in the drain holes and not maintaining the trees. The City then puts the burden on the residents, which a number of the residents are retired. We need to deal with an ongoing issue to make this problem better. Ms. Kennedy stated that no one wants to take responsibility therefore it is the resident's responsibility. She stated that technically that is not their property. She wants to know what is the MetroParks responsibility. Ms. Kennedy feels there needs to be an equitable solution to this situation.

Dean Eschweiler, 6370 Big Creek Parkway, agrees with everything everyone else said. The MetroParks has said we cannot touch the trees, we can't trim them, we can't do anything. He would like the MetroPark to sit down and work with all the residents to get the problem solved.

Pat Kennedy, 6328 Big Creek Parkway, he stated that 19 out of 25 homes from York Road to Mandalay were cited for their sidewalks. He asked if there would be 19 different solutions to the problems or can they come up with one solution that will be managed by the City or the MetroParks.

Rinaldo Mancini, 6386 Big Creek Parkway, two years ago he had his sidewalks fixed and they are already lifted.

Cheryl Kennedy, 6328 Big Creek Parkway, is this a citywide issue or is it just a Big Creek Parkway issue.

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Director Patten replied the sidewalks throughout the City have been inspected but some of the residents in a few of the neighborhoods are handicapped and bound in a wheelchair, they are out and are having difficulty getting through different parts of the City. Those handicapped residents have asked that the City look at certain areas and the City has, that is what has brought it to the City's attention.

Pat Kennedy, 6328 Big Creek Parkway, asked to protect the homeowner from a lawsuit would it be feasible to put up caution, uneven sidewalk signs along the sidewalks. Mr. Kennedy asked if those cited were bound to the 30-day deadline for fixing the sidewalks. Director Patten replied no, the City would work with the residents.

Director Patten replied the handicapped individuals know they are bad; these people are your neighbors. They recently became handicapped and now have trouble with mobility through their neighborhoods.

Director Patten reiterated that he would reach out to the MetroParks and try to come up with a solution for this situation.

Cheryl Kenneday, 6328 Big Creek Parkway, stated there is a bike path across the street, which the MetroParks maintains and it is level. She felt this was another way for those in the wheelchairs to get around.

Marcia Smith, 6777 Greenleaf Avenue, does the City have any regulations on how long the garbage cans can be out in the front yards.

Director Patten replied there are regulations and he will have property maintenance inspectors check the day after rubbish pick-up day to see whose cans are left out. Director Patten stated that if they need to be cited, they would be cited by the Police Department.

Rich Rob, 9760 Greenbriar, stated that he comes every October to remind everyone of the bank robbery/hostage situation that took the life of Sgt. Robert Bennett 47 years ago on October 25, 1972. Mr. Rob served with Sgt. Bennett on the Police Department. Mr. Rob stated that the Safety Forces put their lives on the line every day. Mr. Rob commented that there are no finer Police or Fire Departments than Parma Heights. Mr. Rob asked for a minute of silence for Sgt. Bennett.

Council President Gallo asked for a minute of silence in honor of Sgt. Robert Bennett.

Councilman Stavole motioned seconded by Councilman McCall to adjourn into Executive Session to discuss potential litigation.

Aye: Gallo, Koch, Stavole, Everett, McCall and Danczak

Nay: None

**COUNCIL ADJOURNED TO EXECUTIVE SESSION TO DISCUSS POTENTIAL LITIGATION AT 8:38 P.M.**

Council reconvenes at 9:44 p.m.

Councilwoman Koch motioned seconded by Councilman Stavole to adjourn.

Aye: Stavole, Koch, Gallo, Everett, Danczak and McCall

Nay: None

**Meeting Adjourned at 9:45 p.m.**



Florence A. Bohdan  
Clerk of Council



Marie Gallo  
Council President