

THE CITY OF PARMA HEIGHTS
COUNCIL MEETING MINUTES
MAY 14, 2018

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

ALSO PRESENT: Mayor Michael Byrne, Law Director Pokorny, Director of Finance and Personnel Hickey, Director of Housing, Building & Recycling Teresi, Engineer Onyak, Director of Community and Economic Development Sebes and Director of Recreation Moran.

ABSENT: Assistant Law Director Schneider

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

Pledge of Allegiance

Councilman Stavole motioned seconded by Councilwoman Everett to approve the April 23, 2018 Council meeting minutes.

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

Nay: None

APRIL 23, 2018 COUNCIL MEETING MINUTES APPROVED.

Councilman McCall presented the report of the Finance Committee with total expenditures for the period of 4/13/18 through 5/11/2018 to be \$803,814.48 (detailed report attached)

Councilwoman Koch presented the report of the May 7, 2018 Planning Commission meeting. (report attached)

Tom Moran, Director of Recreation

- The Monday Yoga/Pilates class will run from 5/14/18 through 6/11/18
- Thursday Vinyasa Yoga is a 12-week class that will be held outside of Cassidy Theatre weather permitting.
- Cassidy Theatre is rehearsing for the production of *Joseph and the Amazing Technicolor Dreamcoat*, which will begin June 8th.
- Valley Forge Open Swim finished for the season.
- Baseball will begin in June.
- Spring Soccer continues.
- The Recreation Department is forming a Pickleball League.
- The outdoor Pool will open June 1st.
- Sand Volleyball will begin mid-June.

Judy McLaughlin, Director of the Senior Center

- On May 24th, the Senior Center will transport seniors to the Cleveland Department of Aging Senior Day at the Cleveland Public Hall. The festivities include senior information fair, entertainment and lunch.

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- The Senior Center will be transporting veterans and seniors to the Memorial Day Parade and Ceremony.

Joe Sebes, Director of Community and Economic Development

- Director Sebes commented that his department is working with Director McLaughlin on a grant for the Senior Center.

Dan Neff, Engineer

- No report.

Councilman McCall asked Engineer Neff if there are any updates on the Parkhill sinkhole. Director Neff stated that he and Director Patten met with the two homeowners and explained to them the County was cameraing the area. At this time, they have not found where the water is coming from but believe it might be from one of the other homes.

Dennis Patter, Director of Public Service

- No report.

Terrence Hickey, Director of Finance and Personnel

- A summary of Mayor's Court activity for April was reported. The total amount transferred into the City's general checking account from Court activity was \$29,693.63. (see attached report.

Mayor Michael Byrne

- The Mayor acknowledged Mr. Don Sweeney, a commissioner on the Board of Zoning Appeals. The Mayor thanked Mr. Sweeney for his service and wishes him and his family good luck, as they are moving out of the city. The Mayor also recognized Roger Pekarek, the chair of the Board of Zoning Appeals and Dale Maxwell, the former chair of the Civil Service Commission.
- The Mayor stated that on Friday, May 11th, applications for the Police Chief test closed. Four internal perspective candidates; Acting Chief Scharschmidt, Sgt. Green, Sgt. Zak and Sgt. Lezniak. The test will be held on June 23rd.

LEGISLATION

Councilwoman Koch motioned seconded by Councilman Verdile to read the following ordinance by title only.

Aye: Danczak, Gallo, Koch, Verdile, Stavole, Everett and McCall
Nay: None

ORDINANCE TO BE READ BY TITLE ONLY.

Councilwoman Koch read AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; TO PROVIDE FOR THE PUBLICATION OF SUCH NEW MATTER; TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; AND TO DECLARE AN EMERGENCY. ONE READING ONLY.

Councilwoman Koch motioned seconded by Councilman Verdile to suspend the rules.

Aye: Gallo, Koch, Verdile, Stavole, Everett, McCall and Danczak
Nay: None

RULES SUSPENDED.

Councilwoman Koch motioned seconded by Councilman Stavole to adopt this ordinance.

Aye: Koch, Verdile, Stavole, Everett, McCall, Danczak and Gallo
Nay: None

ORDINANCE IS ADOPTED. ORDINANCE NO. 2018-20.

Councilwoman Danczak motioned seconded by Councilman McCall to read the following ordinance by title only.

Aye: Verdile, Stavole, Everett, McCall, Danczak, Gallo and Koch
Nay: None

ORDINANCE TO BE READ BY TITLE ONLY.

Councilwoman Danczak read AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA HEIGHTS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION, AND DECLARING AN EMERGENCY. ONE READING ONLY.

Councilwoman Danczak motioned seconded by Councilman McCall to suspend the rules.

Aye: Stavole, Everett, McCall, Danczak, Gallo, Koch and Verdile
Nay: None

RULES SUSPENDED.

Councilwoman Danczak explained this ordinance is in regards to the Collective Bargaining Agreement, effective January 1, 2017 through December 31, 2019, that was made between the City and the Ohio Patrolmen's Benevolent Association with respect to terms and conditions of employment of patrolmen in the Police Department of the City.

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Councilwoman Danczak motioned seconded by Councilman McCall to adopt this ordinance.

Aye: Everett, McCall, Danczak, Gallo, Koch, Verdile and Stavole
Nay: None

ORDINANCE IS ADOPTED. ORDINANCE NO. 2018-21.

Councilman Stavole motioned seconded by Councilman Verdile to read the following ordinance by title only.

Aye: McCall, Danczak, Gallo, Koch, Verdile, Stavole and Everett
Nay: None

ORDINANCE TO BE READ BY TITLE ONLY.

Councilman Stavole read AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF PARMA HEIGHTS AND DECLARING AN EMERGENCY. ONE READING ONLY.

Councilman Stavole motioned seconded by Councilman Verdile to suspend the rules.

Aye: Danczak, Gallo, Koch, Verdile, Stavole, Everett and McCall
Nay: None

RULES SUSPENDED.

Councilman Stavole motioned seconded by Councilman Verdile to adopt this ordinance.

Aye: Gallo, Koch, Verdile, Stavole, Everett, McCall and Danczak
Nay: None

ORDINANCE IS ADOPTED. ORDINANCE NO. 2018-22.

Councilwoman Koch motioned seconded by Councilwoman Danczak to read the following ordinance by title only.

Aye: Koch, Verdile, Stavole, Everett, McCall, Danczak and Gallo
Nay: None

ORDINANCE TO BE READ BY TITLE ONLY.

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Councilwoman Koch read AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO THE COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT (NEORS) AND THE CITY OF PARMA HEIGHTS AND DECLARING AN EMERGENCY. ONE READING ONLY.

Councilwoman Koch motioned seconded by Councilman Verdile to suspend the rules.

Aye: Verdile, Stavole, Everett, McCall, Danczak, Gallo and Koch
Nay: None

RULES SUSPENDED.

Councilwoman Koch motioned seconded by Councilman Verdile to adopt this ordinance.

Aye: Stavole, Everett, McCall, Danczak, Gallo, Koch and Verdile
Nay: None

ORDINANCE IS ADOPTED. ORDINANCE NO. 2018-23.

Councilman McCall motioned seconded by Councilman Stavole to read the following ordinance by title only.

Aye: Everett, McCall, Danczak, Gallo, Koch, Verdile and Stavole
Nay: None

ORDINANCE TO BE READ BY TITLE ONLY.

Councilman McCall read AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY DEVELOPMENT SUPPLEMENTAL GRANT AGREEMENT BY AND BETWEEN THE COUNTY OF CUYAHOGA AND THE CITY OF PARMA HEIGHTS AND DECLARING AN EMERGENCY. ONE READING ONLY.

Councilman McCall motioned seconded by Councilman Stavole to suspend the rules.

Aye: McCall, Danczak, Gallo, Koch, Verdile, Stavole and Everett
Nay: None

RULES SUSPENDED.

Councilman McCall motioned seconded by Councilwoman Danczak to adopt this ordinance.

Aye: Danczak, Gallo, Koch, Verdile, Stavole, Everett and McCall
Nay: None

ORDINANCE IS ADOPTED. ORDINANCE NO. 2018-24.

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Councilman Stavole motioned seconded by Councilman Verdile to read the following resolution by title only.

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

Nay: None

RESOLUTION TO BE READ BY TITLE ONLY.

Councilman Stavole read A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM FOR THE 2018-2019 WINTER SEASON, AND DECLARING AN EMERGENCY. ONE READING ONLY.

Councilman Stavole motioned seconded by Councilman Verdile to suspend the rules.

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

Nay: None

RULES SUSPENDED.

Councilman Stavole motioned seconded by Councilman Verdile to adopt this resolution.

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

Nay: None

RESOLUTION IS ADOPTED. RESOLUTION NO. 2018-9.

Councilman McCall motioned seconded by Councilwoman Danczak to read the following ordinance by title only.

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

Nay: None

ORDINANCE TO BE READ BY TITLE ONLY.

Councilman McCall read AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF \$1,895,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING, IN ANTICIPATION OF THE COLLECTION OF SPECIAL ASSESSMENTS, AND THE COSTS OF CONSTRUCTING CARDINAL AVENUE AND ADJOINING STREETS, TO BE LOCATED ON PROPERTY AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF PEARL ROAD AND WEST 130TH STREET, BY CONSTRUCTING AND INSTALLING PUBLIC SANITARY SEWERS; STORM SEWERS; WATER MAINS, STREET LIGHTING; CONCRETE CURBS; ASPHALT PAVEMENT; SIDEWALKS; TRAFFIC SIGNALS; AND OTHER UTILITY LINES; ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY. FIRST OF TWO READINGS.

Council President Gallo noted that this was the first of two readings as Council decided two readings were sufficient and that she is in receipt of the Fiscal Officer's Certificate.

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 and questions will be directed to the Council President.

Dale Maxwell, 6835 Beresford, asked if Meijer's was still interested in the property on West 130th. The Mayor replied that they still are interested.

Tammy Sebastian, 6814 Revere, asked about the sale of the cell towers. She would like clarification on whether they were sold because she understood them to be income for the City. She heard that the sale of the towers balanced the budget. Ms. Sebastian stated that she is concerned about balancing the budget and not looking towards the future. Council President Gallo clarified that it was not a sale it was reassignment of the cell tower leases.

Director Pokorny explained the cell tower lease payments were assigned to Landmark for a period of years and they are scheduled to make payments to the City, with all monies received by October 2018. Director Pokorny stated that Landmark took over the leases until the year 2053. He also stated that the City did not sell the towers; the City still owns the towers and maintains them. The leases the tenants have are now the responsibility of Landmark.

Ms. Sebastian asked if the City was losing a yearly income and how much are we losing. Director Hickey explained that he could get Ms. Sebastian more detailed information. He stated there is a loss of revenue stream that was attributed to that tower. Director Hickey asked that Ms. Sebastian meet after the meeting to provide an e-mail address for him.

Council President Gallo stated that the reassignment of leases helped the City balance a budget shortfall of over a half million dollars.

Councilman McCall motioned seconded by Councilwoman Koch to adjourn to Executive Session to discuss pending litigation.

Aye: Everett, McCall, Danczak, Gallo, Koch, Verdile and Stavole
Nay: None

COUNCIL ADJOURNED TO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AT 8:21 P.M.

Council reconvened at 9:12 p.m.

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Councilwoman Koch motioned seconded by Councilwoman Everett to adjourn the meeting.

Aye: Stavole, Verdile, Koch, Gallo, Everett, Danczak and McCall
Nay: None

Meeting Adjourned at 9:12 p.m.



Florence A. Bohdan
Clerk of Council



JoAnn Koch
Council President Pro-Tem

FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF PARMA HEIGHTS, OHIO:

The undersigned, as fiscal officer of the City of Parma Heights, Ohio, hereby certifies in connection with your proposed issue of notes, in anticipation of the issuance of bonds, for the purpose of paying, in anticipation of the collection of special assessments, the costs of constructing Cardinal Avenue; Cardinal Avenue East; Cardinal Avenue West; Vineyard Avenue; Cabernet Court East; Cabernet Court West; Vintage Avenue and Concord Avenue, to be located on property at the southeast quadrant of the intersection of Pearl Road and West 130th Street, by constructing and installing public sanitary sewers; storm sewers; water mains; street lighting; concrete curbs; asphalt pavement; sidewalks; traffic signals; electric service lines; telephone service lines; natural gas service mains; and cable televisions service lines, all together with the necessary appurtenances thereto, as follows:

1. The estimated life of those improvements is hereby certified to be at least five years;
2. The maximum maturity of bonds to be issued for such purpose, calculated in accordance with the provisions of Section 133.20 of the Revised Code, is at least 20 years, and because the special assessments will be payable over a period of 20 years, and the Bonds are to be issued in anticipation of the collection of those special assessments, the maximum maturity of the Bonds is 20 years, less the ten years the notes will have been outstanding in excess of the applicable five year period; and
3. Although the maximum maturity of any notes issued in anticipation of those bonds would have been December 31, 2009 (with the original note for this purpose issued on September 23, 2004), which would be the last day of the fifth year following the year of issuance of the Notes, that date is extended pursuant to Revised Code Section 133.17 pending the final disposition of existing litigation relating to the validity of the special assessments.

Dated: May __, 2018



Director of Finance
City of Parma Heights, Ohio

REPORT OF COUNCIL FINANCE COMMITTEE

(Review of City Expenditures)

COUNCIL MEETING:

5/14/18

REVIEW PERIOD:

4/13/18 - 5/11/18

EXPENDITURE TOTAL:

\$803,814.48

RE-CAP OF MAJOR EXPENDITURES:

AMOUNT:

4/27/18 PAYROLL

\$402,091.52

POLICE/FIRE PENSION FUND - City Portion of Pension Expense (March-Payroll)

\$119,184.43

REPUBLIC SERVICES - Refuse & Recycling Collection/Disposal (March)

\$78,641.34

CITY OF MIDDLEBURG HTS - 1st Pymt for Pearl Road Resurfacing - Engineering

\$48,919.67

CITY OF PARMA - Fee for Regional Dispatch Services (4/12/18 - 5/11/18)

\$25,909.00

SIGNAL SERVICE - Repl Traffic Signal Pole/Arm/Controls- Ridgewood/Denison

\$18,252.55

ILLUMINATING COMPANY - Traffic & Street Lighting Charges (May)

\$9,202.95

CUYAHOGA CONCRETE COMPANY - Material for Concrete Street Repairs

\$8,061.00

PLANNING COMMISSION REPORT

The Planning Commission met on Monday, May 7, 2018 to discuss the following:

**Consideration of a new business at 6339 Olde York Road, Sunny Foot Spa, LLC.
Application submitted by Leilei Sun.**

The Planning Commission approved the new business.

**CITY OF PARMA HEIGHTS MAYOR'S COURT
MONTHLY FINANCIAL SUMMARY**

SUMMARY OF MAYOR'S COURT ACTIVITY :

Period: Apr-18

* Mayor's Court Account Revenue (Court Fines & Costs)	\$40,035.00
Less: Portion of Court Costs Transferred to:	
* State of Ohio	-7,886.00
* Alcohol Treatment Fund to Parma Muni	-249.00
* Parma Municipal Court	-75.00
* Cuyahoga County(C.R.I.S.)	<u>-825.00</u>
Subtotal	\$31,000.00
Less: Monthly Bank Fees/Charges/NSF Checks	-1125.15
Forfeited Bonds	-1454.50
Bond Administration Fee	<u>-407.50</u>
Amount Transferred from Court Account to General Account	\$28,012.85
* Mayor's Court Bond Account Activity	
Forfeited Bonds	1454.50
Bond Admin Fee (Net of Bond Account Bank Fees)	226.28
Amount Transferred from Bond Account to General Account	\$1,680.78
Total Amount of Mayor's Court Activity Transferred to City's General Checking Account and Posted As A General Fund Revenue	\$29,693.63

Submitted By:

Terrence B. Hickey 5/2/18
Terrence B. Hickey, Director of Finance/Personnel