



City of Parma Heights  
Council Meeting  
6281 Pearl Road

Monday, September 13, 2021 7:00 PM

The Council will accommodate public comments during the meeting. Anyone may also email comments to the board prior to the meeting at [creason@parmaheights.us](mailto:creason@parmaheights.us)

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **MOMENT OF SILENCE**
4. **ACTION ON MINUTES**
  - A. June 28, 2021 Council Meeting Minutes
  - B. July 7, 2021 Special Council Meeting Minutes
  - C. August 9, 2021 Special Council Meeting Minutes
  - D. August 30, 2021 Special Council Meeting Minutes
5. **REPORTS FROM MAYOR AND DIRECTORS**
  - A. Recreation Department, Joe Tal
  - B. Economic Development Department, Joe Sebes
  - C. Finance Department, Katie Iaconis
  - D. Service Building Department, Michelle Teresi
  - E. Senior Center, Trish James
  - F. City Engineer, Dan Bender
  - G. Mayor's Report, Mayor Byrne

**LEGISLATION**

6. Consideration of A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER. **ONE READING ONLY**
7. **PUBLIC SESSION**
8. **EXECUTIVE SESSION**
  - A. Adjourn to executive session to discuss personnel matters regarding employment.
9. **ADJOURNMENT**

CITY HALL WILL BE OPEN FOR THE COUNCIL MEETING  
MASKS ARE REQUIRED IN CITY HALL

City Council  
Meeting Minutes  
June 28, 2021  
7:00 PM

**1. ROLL CALL WAS TAKEN AND THE FOLLOWING MEMBERS WERE PRESENT:**

• **Members Present**

Councilmember Danczak  
Councilmember Everett  
Council President Gallo  
Councilmember Haase  
Councilmember Rounds  
Councilmember Stavole  
Councilmember Walsh

• **Members Absent**

None

• **Also Present**

Mayor Byrne  
Dan Bender, City Engineer  
Katie Iaconis, Director of Finance  
Trish James, Senior Center Director  
Mike Pokorny, Director of Law  
Chrissy Reason, Clerk of Council  
Mark Schneider, Assistant Director of Law  
Joe Sebes, Director of Community & Economic Development  
Joe Tal, Director of Recreation  
Michelle Teresi, Building, Housing, & Recycling Coordinator

**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF THE JUNE 14, 2021 COUNCIL MEETING MINUTES**

Councilmember Stavole made a motion to approve the June 14, 2021 Council meeting minutes.  
Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** None

**4. Reports from Mayor and Directors**

- Joe Tal, Director of Recreation
  - 105 pool passes have been sold so far
  - Soccer registration began 06/24
  - Repairs are being done to the tennis and pickleball courts 06/30 through 07/03
- Joe Sebes, Director of Community & Economic Development

- Work on the mural has begun
- Trish James, Director of Senior Center
  - The Senior Center will open for indoor activities beginning July 1st. The Congregate Meal Program will begin on Monday, July 12th.
  - There will be 2 seating for lunch, less tables, 4 participants at each table instead of 8 and 36 seniors can be accommodated at each seating. If both seating's are full we would be able to serve 72 seniors a day which would have us at the same totals as before we closed down.
  - The activities we are offering are Yoga, Bingo, Chair Exercise, Chair Volleyball, Crafts, Horse Races hosted by Greenbriar Nursing and Care Home, Bingo and Ice Cream Social hosted by Crossroads Hospice, Cooking Classes hosted by Vista Springs and UH Hospital will be returning to provide Blood Pressure Checks.
  - Distributing \$12,500 worth of coupons (\$50.00 each) to low-income seniors to purchase locally grown fresh, fruits, vegetables and honey. In addition to our city and Middleburg Heights, for the past 2 years we have distributed to coupons to Parma, North Royalton, Berea, Strongsville, Brooklyn, Brooklyn Heights, Seven Hills, Independence, Brecksville and Broadview Heights as those cities were not able to participate in the program.
  - The Department of Senior and Adult Services had additional funds from last year and we applied for an additional \$20,000 and we received notice that the money has been granted. These funds will be used for meals and transportation.
  - We added another bus, which makes two on the road now. The additional bus allows us to offer transportation to the Senior center for lunch and activities, as well as providing additional trips for shopping and doctor appointments.
  - The Fiscal report from The Cleveland Food Bank for 2020 was announced and of the eleven organization and cities that participate in meals and the Senior Market, we had the 3rd highest volume of food delivered/distributed with 68,017 pounds of food and 56,680 meals. The only surrounding cities to ours that participated were, The Donna Small Center distributed 6,685 pounds and Middleburg Heights distributed 14,440 pounds. The 2 that distributed more food than Parma Heights Senior Center were Senior Center Resources (3100 Devonshire Rd, Cleveland 44109) distributed 70,105 pounds of food and Villa Mercede (1331 W 70th St, Cleveland 44102) 80,617 pounds of food.
- Michelle Teresi, Building, Housing, & Recycling Coordinator
  - The first Household Hazardous Waste Collection was held on Sat. June 12<sup>th</sup> from 9:00 am to Noon. We had a very good turn-out for the event.
  - The following are the upcoming events that we have for the rest of the summer
    - Our second Community Shred event will be held on Saturday, July 24<sup>th</sup>
    - The second Recycle Your Computer event will be held on Saturday, August 28<sup>th</sup>
    - The Scrap Tire Event will be held on Saturday, Sept. 11<sup>th</sup>
  - All of the Special Waste Collection events are held at the Parma Heights Service Garage from 9:00 am to Noon.

- The Saturday Refuse Drop-Offs, which are held on the 2<sup>nd</sup> and 4<sup>th</sup> Saturday of each month from 9:00 am to Noon, have also resumed this month. The Saturday drop-offs were suspended due to the pandemic.
- Residents may bring small amounts of excess waste that might have to be disposed of in the city dumpster located in the Service Yard.
- Dan Bender, City Engineer
  - Manorford Drive Reconstruction Project:
    - Pavement markings is the last punch list item for this project.
  - Greenbrier Commons Watermain Replacement Project:
    - Contractor will begin pavement restoration work.
  - Layor Drive & Queens Highway Resurfacing Project
    - The resurfacing project is on hold until the watermain projects are completed on both Layor Drive and Queens Highway.
  - Notabene Drive, Layor Drive & Queens Highway Watermain Replacement Project:
    - Bid opening was held on Thursday, June 17, 2021.
    - Four contractors submitted bids on the project and the Engineers Official Totals are as follows:
      - a. Terrace Construction Co., Inc. @ \$909,724.50
      - b. CATTs Construction @ \$957,653.50
      - c. Perk Company, Inc. @ \$1,075,774.00
      - d. Fabrizi Trucking & Paving Co., Inc. @ \$1,159,389.50
    - With this project being part of the Suburban Watermain Renewal Program we are required to submit our recommendation to the City of Cleveland Division of Water for their approval. Bid Tally and Terrace Construction Bid Form were submitted to Cleveland Water on June 18<sup>th</sup> for their review.
    - Cleveland Water approved our recommendation to award the contract to Terrace Construction Co., Inc. (Low Bidder) on June 18<sup>th</sup>.
    - I am here today to recommend to Council that Terrace Construction Co., Inc. be awarded the contract for the Notabene Drive, Layor Drive & Queens Highway Watermain Replacement Project.
    - I also asked council to permit the release of the bid bonds for the other bidders.

Councilmember Stavole made a motion to award Terrace Construction Co., Inc. be awarded the contract for the Notabene Drive, Layor Drive & Queens Highway Watermain Replacement Project. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

Councilmember Stavole made a motion to the release of the bid bonds for the other bidders. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

- Mike Byrne, Mayor

- The PARMA VET CENTER at 6325 York Road is hosting a Veteran's Celebration for Independence Day Friday, July 2 from 11:30am-2:00pm in their parking lot. There will be free activities for children, free food, and prizes. Everyone in the community is invited and welcome to attend.
- Residents will receive a mailing this week about summer activities in Parma Heights including outdoor concerts, movies, and yoga, as well as special recycling events.
- Instead of one day-long event, this year we are having two smaller Kids in the Commons events on Friday, July 16 and Friday, July 20 from 2-4 p.m. Activities for families and children include a caricature artist, green screen, balloon twisting, glitter tattoos, bubbles, and open mic at the gazebo.
- To date, our community sponsors this year are NOPEC and Jerry Kuhn's Kwik Car Wash. Community partners include: The Cuyahoga County Public Library, Friends of the Library, Friends for Life Rehab, Greenbrier Art League, Parma Heights Historical Society, SW Community Services, Boy Scouts, Girl Scouts, UH Parma Medical Center, the PSE Credit Union, and Ann George Food Pantry. Additionally, there will also be a few tables for local vendors to sell their crafts.

## LEGISLATION

### **5. CONSIDERATION OF AN ORDINANCE ENACTING CHAPTER 680 [ABATEMENT OF CRIMINAL ACTIVITY NUISANCES] OF THE GENERAL OFFENSES CODE OF THE CITY OF PARMA HEIGHTS, OHIO AND DECLARING AN EMERGENCY. ONE READING ONLY**

Councilmember Danczak made a motion to read the following Resolution by title only. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

#### **ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE ENACTING CHAPTER 680 [ABATEMENT OF CRIMINAL ACTIVITY NUISANCES] OF THE GENERAL OFFENSES CODE OF THE CITY OF PARMA HEIGHTS, OHIO AND DECLARING AN EMERGENCY

Councilmember Danczak made a motion to suspend the rules. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

#### **RULES SUSPENDED**

Councilmember Danczak made a motion to adopt this Ordinance. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**ORDINANCE IS ADOPTED. ORDINANCE NO. 2021-20**

**6. CONSIDERATION OF A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OR PUBLIC SERVICE TO ADVERTISE FOR COMPETITIVE BIDS FOR RESIDENTIAL WASTE COLLECTION AND RECYCLING SERVICES, AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Everett made a motion to read the following Resolution by title only. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OR PUBLIC SERVICE TO ADVERTISE FOR COMPETITIVE BIDS FOR RESIDENTIAL WASTE COLLECTION AND RECYCLING SERVICES, AND DECLARING AN EMERGENCY.

Councilmember Everett made a motion to suspend the rules. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RULES SUSPENDED**

Councilmember Everett made a motion to adopt this Resolution. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-09**

**7. CONSIDERATION OF AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE ONE (1) 2022 DEMERS MXP 170 TYPE 1 AMBULANCE FROM PENN CARE, INC., AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Haase made a motion to read the following Ordinance by title only. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION TO BE READ BY TITLE ONLY**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE ONE (1) 2022 DEMERS MXP 170 TYPE 1 AMBULANCE FROM PENN CARE, INC., AND DECLARING AN EMERGENCY.

Councilmember Haase made a motion to suspend the rules. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RULES SUSPENDED**

Councilmember Haase made a motion to adopt this Resolution. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE IS ADOPTED. ORDINANCE NO. 2021-21**

Councilmember Stavole made a motion to remove agenda item #8 from the agenda. Councilmember Walsh Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

~~8. CONSIDERATION OF A RESOLUTION TO ISSUE A MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE ANY BUSINESS THAT ENGAGES IN HOOKAH (ALSO CALLED SHISHA AND NARGILE, A WATERPIPE) ESTABLISHMENTS KNOWN AS "BARS OR LOUNGES" FOR A PERIOD NOT TO EXCEED TWELVE MONTHS FROM THE EFFECTIVE DATE OF THIS RESOLUTION IN ORDER TO ALLOW THE CITY ADMINISTRATION, COUNCIL AND THE PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE CITY OF PARMA HEIGHTS ZONING CODE RELATIVE TO SUCH USE AND DECLARING AN EMERGENCY. ONE READING ONLY.~~

9. CONSIDERATION OF A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER. ONE READING ONLY.

Councilmember Stavole made a motion to read the following Resolution by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER.

Councilmember Stavole made a motion to suspend the rules. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RULES SUSPENDED**

Councilmember Stavole made a motion to adopt this Resolution. Councilmember Everett Seconded.



**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh  
**Nay:** None

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-11**

**10. CONSIDERATION OF AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1131.02 DEFINITIONS. SECOND OF THREE READINGS.**

Councilmember Rounds made a motion to read the following Ordinance by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh  
**Nay:** None

**ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1131.02 DEFINITIONS

**11. CONSIDERATION OF AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1185.02 PERMITTED USES. SECOND OF THREE READINGS.**

Councilmember Everett made a motion to read the following Ordinance by title only. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh  
**Nay:** None

**ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1185.02 PERMITTED USES

**12. CONSIDERATION OF AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1195.05 COMMERCIAL USE-SPECIFIC REGULATIONS. SECOND OF THREE READINGS.**

Councilmember Danczak made a motion to read the following Ordinance by title only. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh  
**Nay:** None

**ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1195.05 COMMERCIAL USE-SPECIFIC REGULATIONS.

**13. 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.

- Pat Downer – 6260 Pearl Rd, thanked Trish James for the great work with the senior center. She is thankful for all the events and praised the staff for their hard work and stated the staff is making the senior center the envy of other communities.
- Shirley Massaroni – 6643 Rochelle Blvd, thanked the ladies and gentleman of meals on wheels were a bright spot during the pandemic.

#### 14. Executive session

- Adjourn to executive session to discuss pending litigation

Councilmember Stavole made a motion to move into executive session. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

Council adjourn to executive session at 7:31 PM

Council reconvenes from executive session at 8:13 PM

#### 15. ADJOURNMENT

Councilmember Stavole made a motion to adjourn the meeting. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

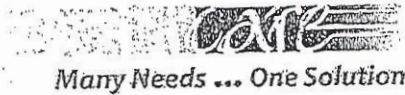
**MEETING ADJOURNED AT 8:13 PM**

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Chrissy Reason, CMC  
Clerk of Council

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Marie Gallo  
Council President



Emergency Vehicle Purchase Agreement  
June 8, 21

Purchaser:  
Parma Heights Fire Dept  
6184 Pearl Rd  
Parma Heights, OH 44130

Seller:  
Penn Care, Inc.  
1317 North Rd.  
Niles OH 44446

Penn Care, Inc. sells to Purchaser a 2022 Demers MXP170 type I as designed per the attached specifications, and when applicable, technical drawings, graphic design and other required documents. Additions, deletions and/or changes must be approved by all parties in writing and may cause delays in deliveries and additional charges to the purchaser.

PRICING

Base Per Unit Price:	\$169,231.00
Graphics/Paint:	\$2,000.00
Additions:	\$39,500.00
FIN Rebate:	\$4,100.00
<b>Total Per Due at Delivery:</b>	<b>\$206,731.00</b>

TRADE DESCRIPTION:

TRADE-IN TERMS AND APPRAISAL

Where Purchaser wishes to trade-in a used motor vehicle as part of the consideration for the motor vehicle ordered, Seller may appraise the trade-in at the time of the execution of this order by Purchaser. Seller also reserves the right to reappraise the trade-in at the time of delivery. The seller shall not alter a Trade-In appraisal from the time of the initial appraisal until the time of delivery unless:

- 1) Intervening factors indicate an apparent decrease in the value of the value of the trade-in over and above ordinary wear and tear
- 2) A change occurs in the mechanical performance of the vehicle
- 3) Emergency, medical, and/or other equipment/components have been removed that were not previously discussed and agreed to in writing
- 4) The Seller has made any misrepresentation of the vehicle and/or components to Penn Care, Inc.

DELIVERY TIMES

Quoted lead times and delivery expectations quoted by Penn Care, Inc. are approximate and not guaranteed. Quoted lead times will be extended for Change Orders, delays from the chassis OEM and Force Majeure.

WARRANTY

No representation has been made by Penn Care, Inc., except as herein stated and no warranties, expressed or implied, may arise except from this writing. All warranties are issued by the chassis manufacturer, the ambulance builder, and/or component parts suppliers and Penn Care, Inc. shall have no liability with respect to warranties issued by the chassis manufacturer, the ambulance builder, and component parts suppliers. Used vehicles are "as is" and have no warranty.

  
**Many Needs ... One Solution**

#### **INVOICING AND PAYMENT**

Unless otherwise agreed to in writing, Penn Care, Inc. will invoice the Purchaser 30 days prior to the scheduled delivery date. Upon completion of production and quality inspection by the Purchaser the vehicle is declared ready for delivery and payment will be due upon acceptance and/or delivery.

#### **PAYMENT OF SALES AND USE TAXES**

The price for the motor vehicle specified in this agreement does not include Sales Taxes and Use Taxes (Federal, State, or Local) unless expressly stated. Purchaser assumes and agrees to pay, unless prohibited by law, and such Sales, Use, or Occupational Taxes imposed on or applicable to the transaction covered by this agreement, regardless of which party may have primary tax liability.

#### **ACCEPTANCE**

When requesting a final inspection the Purchaser shall inspect the vehicle(s) within 10-days of notification of completion of production. Vehicles not inspected by buyer will be deemed complete and ready for delivery, and payment will be due upon delivery. Items and issues discovered after the 10-day window shall not hold up payment from buyer to Penn Care Inc., these issues will be handled as warranty claims following the normal procedures.

#### **PAYMENT AND TITLE**

All payments shall be made in U.S. dollars either by certified check or wire transfers, credit card payments are not acceptable without prior written authorization (fees will apply). Payment terms are COD, unless otherwise agreed to in writing by Penn Care, Inc. Interest terms begin 16-days from date of delivery and are charged at a rate of prime plus 6%. MSO and title are released to Purchaser upon payment in full, including any related interest, shipping expenses, and other related costs and expenses to Penn Care Inc. or to the appointed floor plan financing company.

As collateral security for the payment of the purchase price of the Vehicles, Buyer hereby grants to Penn Care Inc., a lien on and security interest in and to all of the right, title, and interest of Purchaser in, to, and under the Vehicles; wherever located, and whether now existing or hereafter arising or acquired from time to time, and in all accessions thereto and replacements or modifications thereof, as well as all proceeds, including insurance proceeds, of the foregoing. The security interest granted under this provision constitutes a purchase money security interest under the Ohio Uniform Commercial Code.

#### **CANCELLATION**

Penn Care, Inc., may, in its sole discretion, and without liability or penalty, cancel this order if Penn Care, Inc. determines that Purchaser (i) fails to pay any amount due under these Terms and Conditions, (ii) has not otherwise performed or complied with any of these Terms and Conditions, in whole or in part, or (iii) becomes insolvent, files a petition for bankruptcy, or commences or has commenced against it proceedings relating to bankruptcy, receivership, reorganization, or assignment for the benefit of creditors. Penn Care's election to cancel Purchaser's order under such circumstances is in addition to, and not in lieu of, any other rights or remedies that Penn Care, Inc. may have at either law or equity or under the Terms and Conditions of this Agreement.

Penn Care's manufactures commence engineering, no cancellation of this order is permitted, and the full purchase price is due and payable to Penn Care, Inc. Notwithstanding other provisions of this Agreement, and in addition thereto, Penn Care, Inc. shall be entitled to its reasonable and anticipated lost profit from such cancellation.

#### **FORCE MAJEURE**

Penn Care, Inc. shall not be liable or responsible to Purchaser, nor be deemed to have defaulted or breached these Terms and Conditions, for any failure or delay in fulfilling or performing any of these Terms and Conditions when and to the extent such failure or delay is caused by or results from acts or circumstances beyond the reasonable control of Penn Care, Inc. and/or the manufactures which Penn Care, Inc. represents including, without limitation, acts of God, flood, fire, earthquake, explosion, governmental actions, war, invasion or hostilities, terrorist threats or acts, riot or other civil unrest, national emergency, revolution, insurrection, epidemic, lockouts, strikes or other labor disputes (whether or not relating to either party's workforce), restraints or delays affecting carriers, inability or delay in obtaining supplies of adequate or suitable materials, or telecommunication breakdown, or power outage.

#### **DEFAULT/ATTORNEY'S FEES**

Purchaser is in default of the Terms and Conditions if any of the following occurs (except as prohibited by law): (i) Purchaser fails to perform any obligation that Purchaser has undertaken in these Terms and Conditions; or (ii) Penn Care, Inc., in good faith, believes that Purchaser cannot, or will not, pay or perform the obligations it has agreed to in the Terms and Conditions.



"In addition to any other rights the City may have at law or under this Agreement with respect to cancellation or termination, the City may, without cause, terminate this Agreement in whole or in part, if the City determines that a termination is appropriate for its convenience within 90 days of the complete execution of the Purchase Agreement by both parties."

~~If Purchaser defaults, or in the event Penn Care, Inc. brings an action or proceeding to enforce the terms hereof, and its rights hereunder, Purchaser agrees to pay Penn Care, Inc. costs for collecting amounts owing, including, without limitation, court costs, attorney's fees (for attorneys who are not our salaried employees), and fees for repossession, repair, storage, and sale of Vehicles, all without relief from valuation and appraisal laws.~~

**GOVERNING LAW**

All of terms and provisions of the agreement and the rights and obligations of the parties hereto shall be interpreted and enforced, in accordance with the laws of the State of Ohio.

**REMEDIES**

If Purchaser is in default of these Terms and Conditions, Penn Care, Inc. shall have all the remedies provided by law in these Terms and Conditions: (i) Penn Care, Inc. may require Purchaser to immediately pay Penn Care, Inc., subject to any refund required by law, the remaining unpaid balance due; (ii) Penn Care, Inc. may require Purchaser to make the Vehicle available to Penn Care, Inc. at a designated place that is reasonably convenient to each party; (iii) Penn Care, Inc. may immediately take possession of the Vehicle by legal process or self-help, but in doing so Penn Care, Inc. may not breach the peace or unlawfully enter onto Purchaser's premises; (iv) Penn Care, Inc. may then sell the Vehicle and apply what it receives as provided by law to Penn Care, Inc. reasonable expenses and then toward Purchaser's obligations; and (v) Except when prohibited by law, Penn Care, Inc. may sue Purchaser for additional amounts if the proceeds of a sale do not pay all of the amounts Purchaser owes to Penn Care, Inc. By choosing any one or more of these remedies, Penn Care, Inc. does not waive its right to use another remedy. By deciding not to use any remedy, Penn Care, Inc. does not give up its right to consider the event a default if it happens again.

**PURCHASER**

Signature: *[Signature]*

Name/Title: MIKE BYRNE-MAYOR

Date: 7-27-2021

APPROVE THE WITHIN  
AS TO LEGAL FORM  
BUSINESS  
*[Signature]*  
ATTORNEY AT LAW

*[Signature]*

FOR PENN CARE, INC.

Date: 8/2/21

		Configuration Option Pricing			
Category	Option	Description	Ext Price	Quantity	
10-Base (BAS)	BAS-BON-11	No Bond Required	\$0.00	1	
10-Base (BAS)	BAS-GPO-15	STS Contract	\$0.00	1	
10-Base (BAS)	BAS-PLA-12	TYPE I - MXP170	\$52,334.30	1	
10-Base (BAS)	BAS-REG-11	Sales Administration Charge	\$250.00	1	
10-Base (BAS)	BAS-TYP-11	Type I - Pick up	\$0.00	1	
11-Chassis (CH*)	BAS-CHA-22	Chassis Model year 2022	\$0.00	1	
11-Chassis (CH*)	CHP-FRD-00	Conversion Ford F350/F450 Chassis Cab	\$525.30	1	
11-Chassis (CH*)	CHP-FRD-17	Ford F450XLT Super Duty Diesel Chassis Cab 4X4 193 6,7L POWER	\$55,458.00	1	
12-Suspension (SUS)	SUS-LIQ-11	Compressible Liquid Adaptive Suspension System, is a smart susp	\$9,950.00	1	
13-Module (MOD)	MOD-ALU-14	Ambulance Module Structure / Door Structure and Accessories Ir	\$0.00	1	
14-Module Configuration (MCF)	MCF-CC1-11	First door on curbside (C1) for ALS compartment access and batt	\$0.00	1	
14-Module Configuration (MCF)	MCF-CC2-11	Side entry door on curbside (C2) for patient compartment access	\$957.90	1	
14-Module Configuration (MCF)	MCF-CC3-11	Third door on curbside (C3) for backboard or other storage. (Incl	\$0.00	1	
14-Module Configuration (MCF)	MCF-CC3-13	Stair chair location with two (2) adjustable shelves and retaining :	\$489.25	1	
14-Module Configuration (MCF)	MCF-CC3-22	Third door (C3) Compartment In/Out Access with sliding window	\$875.50	1	
14-Module Configuration (MCF)	MCF-CML-12	High-intensity tube lighting for Compartments. With Side entry D	\$927.00	1	
14-Module Configuration (MCF)	MCF-ELE-11	Upper door (E) for electrical panel access. (Included)	\$0.00	1	
14-Module Configuration (MCF)	MCF-RDR-11	Two (2) rear entry doors for patient compartment access, each w	\$1,369.90	1	
14-Module Configuration (MCF)	MCF-SS1-11	First door on streetside (S1) for main vertical oxygen cylinder. (Ir	\$0.00	1	
14-Module Configuration (MCF)	MCF-SS2-15	Second door on streetside (S2) for equipment storage for MX/M)	\$0.00	1	
14-Module Configuration (MCF)	MCF-SS2-12	One (1) full-depth, adjustable shelf in S2 compartment.	\$180.25	1	
14-Module Configuration (MCF)	MCF-SS3-12	Third door on streetside (S3) for equipment storage, with interior	\$916.70	1	
14-Module Configuration (MCF)	MCF-SS3-18	Reinforcement and anchors for SBCA equipment mounted in S3 c	\$540.75	1	
15-Lighting (LGT)	LGT-FSL-14	Two (2) amber turn-signal arrows, installed on the front of the m	\$257.50	1	
15-Lighting (LGT)	LGT-FSL-20	Add a Whelen PFA2 scene light, front of module	\$1,005.00	1	
15-Lighting (LGT)	LGT-LSL-14	Two (2) amber turn-signal lights, intermediate side mount. Whelk	\$375.95	1	
15-Lighting (LGT)	LGT-RSL-18	Third upper brake light at rear of module. Whelen M6 series (6 x	\$144.20	1	
15-Lighting (LGT)	LGT-RSL-14	Two (2) red brake/tail lights, two (2) amber turn lights, and two (.	\$386.25	1	
15-Lighting (LGT)	LGT-RSL-34	Recessed LED lights in rear kickplate to illuminate the rear step.	\$556.35	1	
15-Lighting (LGT)	LGT-TPL-11	Seven (7) front upper center and corner amber LED marker lights	\$87.55	1	
15-Lighting (LGT)	LGT-TPL-12	Two (2) rear mid-height red LED marker lights.	\$15.45	1	



16-Emergency and Working Lights (EWL)	EWL-BEZ-11	Chrome bezels	\$772.50	30
16-Emergency and Working Lights (EWL)	EWL-FWD-20	Seven (7) emergency lights installed on the front of the module. I	\$2,291.75	1
16-Emergency and Working Lights (EWL)	EWL-GRL-18	Two (2) red lights in front grille. Whelen M7 series (7 x 3) LED light	\$581.95	1
16-Emergency and Working Lights (EWL)	EWL-INT-11	One red emergency light on each compartment and entry door in	\$494.40	1
16-Emergency and Working Lights (EWL)	EWL-ITC-13	Two (2) red intersection lights. Whelen M7 series (7 x 3) LED light	\$396.55	1
16-Emergency and Working Lights (EWL)	EWL-LTI-12	Two (2) red emergency lights, intermediate side mount. Whelen	\$375.95	1
16-Emergency and Working Lights (EWL)	EWL-LTS-18	Four (4) red lateral emergency lights (two (2) on each side). Whel	\$1,241.15	1
16-Emergency and Working Lights (EWL)	EWL-LTS-20	Four (4) lateral scene lights (two (2) on each side). Whelen M9 se	\$1,957.00	1
16-Emergency and Working Lights (EWL)	EWL-RER-17	Two (2) red rear emergency lights at upper rear corners. Whelen	\$726.15	1
16-Emergency and Working Lights (EWL)	EWL-RER-19	Two (2) rear loading lights. Whelen M6 series (6 x 4) LED lights.	\$674.65	1
16-Emergency and Working Lights (EWL)	EWL-RER-20	Two (2) additionnal red lights at window height. Whelen M9 serie	\$623.15	1
16-Emergency and Working Lights (EWL)	EWL-RER-18	Two (2) rear upper amber lights. Whelen M6 series (6 x 4) LED lig	\$386.25	1
17-Audible Warning System (WRN)	WRN-BUA-11	Back up alarm (97dB) with override switch. (Included)	\$0.00	1
17-Audible Warning System (WRN)	WRN-HRN-11	Buell Dual Emergency Horns 10" and 12" Air Horns	\$2,520.00	1
17-Audible Warning System (WRN)	WRN-SIR-11	Whelen model 295HFSA1 siren amplifier with 17 Scan-Lock™ sire	\$350.20	1
17-Audible Warning System (WRN)	WRN-SPK-11	Whelen SA315 series speakers is a compact speaker meeting SAE	\$684.95	1
18-Exterior Vehicle features (VFT)	VFT-CHP-13	Two (2) tow hooks are installed in the rear step plate.	\$370.80	1
18-Exterior Vehicle features (VFT)	VFT-FUL-11	Quarter-tank fuel fill.	\$56.65	1
18-Exterior Vehicle features (VFT)	VFT-MIR-11	Keep OEM exterior mirrors	\$0.00	1
18-Exterior Vehicle features (VFT)	VFT-MOP-11	Aluminium rub rails on module sides. (Included)	\$0.00	1
18-Exterior Vehicle features (VFT)	VFT-MOP-12	Stainless-steel protectors on module corners. (Included)	\$0.00	1
18-Exterior Vehicle features (VFT)	VFT-MOP-13	Formed fiberglass wheel trimming on module. (Inlcuded)	\$0.00	1
18-Exterior Vehicle features (VFT)	VFT-MOP-14	Undercoating protection for module and chassis. (Included)	\$0.00	1
18-Exterior Vehicle features (VFT)	VFT-MOP-15	Mud guards on module for rear wheels. (Included)	\$0.00	1
18-Exterior Vehicle features (VFT)	VFT-PLT-11	Surface mounted license plate location with LED light.	\$72.10	1
18-Exterior Vehicle features (VFT)	VFT-STP-11	Anti-skid lateral steps. Includes mud guards for front wheels. (Inc	\$0.00	1
18-Exterior Vehicle features (VFT)	VFT-STP-12	Anti-skid rear retractable step. Diamond plate corner bumper. Ru	\$0.00	1
19-Convenience (CNV)	CNV-ACC-13	The door unlock valet switch is located on the back of the front g	\$0.00	1
19-Convenience (CNV)	CNV-ACC-15	Demers fast idle is generated by the multiplex module, it allows f	\$0.00	1
19-Convenience (CNV)	CNV-LCK-11	The anti-theft allows to leave the vehicle with the keys with the e	\$0.00	1
19-Convenience (CNV)	CNV-LCK-12	The ECOSMART Anti-Idling System automatically stops the engine	\$365.65	1
21-Paint and Decals (DEC)	DEC-PNT-11	Two (2) coats of primer with two (2) coats of urethane. All four (4	\$0.00	1
21-Paint and Decals (DEC)	DEC-PNT-15	Module to be re-painted RED with urethane and clear coat to ma	\$1,751.00	1
22-Drivers Compartment (CAB)	CAB-ACC-17	Glove storage compartment in OEM door panels for loose gloves	\$87.55	1



22-Drivers Compartment (CAB)	CAB-CON-12	Combo storage/armrest in the floor-mounted console.	\$252.35	1
22-Drivers Compartment (CAB)	CAB-CON-15	Dual cup holders in floor-mounted console.	\$30.90	1
22-Drivers Compartment (CAB)	CAB-CON-11	Floor-mounted console in front cab.	\$659.20	1
22-Drivers Compartment (CAB)	CAB-CTR-14	Control center with 8in touch screen in the floor mounted consol	\$4,238.45	1
22-Drivers Compartment (CAB)	CAB-LGT-11	Two (2) clear and red overhead LED reading lights.	\$133.90	1
23-Curbside configuration (CRB)	CRB-CON-18	Front curbside cabinet with 2 seat position squad bench. Two dra	\$2,266.00	1
23-Curbside configuration (CRB)	CRB-TEC-23	Seating for three (3) passengers with 6-point safety belts. Space f	\$2,796.45	1
23-Curbside configuration (CRB)	CRB-TEC-11	Full-length, thermoformed, molded seat cushion.	\$133.90	1
23-Curbside configuration (CRB)	CRB-TEC-14	Individual, thermoformed, molded backrests.	\$494.40	3
23-Curbside configuration (CRB)	SR00086324	Cabinet stack at head of squad bench, remove (1) drawer, and in	\$0.00	1
24-Streetside configuration (STR)	CRB-TEC-32	Delete the front 6 pts seat position (2 seat position only)	(\$437.00)	1
24-Streetside configuration (STR)	STR-ACS-23	Aluminum flip-up frames, self latching for easy restocking of cab	\$1,143.30	3
24-Streetside configuration (STR)	STR-MED-12	Medical cabinet with CPR bench seat, the rear lower storage com	\$4,696.80	1
24-Streetside configuration (STR)	STR-REA-12	Seating for one EMT with 6-point safety belt.	\$844.60	1
24-Streetside configuration (STR)	SR00086325	Double wide CPR	\$250.00	1
25-Forward Bulkhead (FWB)	FWB-DIV-12	Pass-through sliding window on front division for communicatio	\$1,246.30	1
25-Forward Bulkhead (FWB)	FWB-LFT-11	Corner cabinet on streetside of front wall. Includes two (2) alumi	\$1,581.05	1
25-Forward Bulkhead (FWB)	FWB-LFT-14	Lockable compartment on street side for radio communication	\$303.85	1
25-Forward Bulkhead (FWB)	FWB-RGT-12	ALS cabinet on curbside of front wall. Includes four (4) aluminu	\$3,378.40	1
25-Forward Bulkhead (FWB)	FWB-RGT-13	Lockable compartment located above the front wall ALS cabinet.	\$654.05	1
25-Forward Bulkhead (FWB)	FWB-RGT-16	Four (4) extruded doors with see through windows and handles	\$746.75	1
26-Attendant seat (AST)	AST-BSE-11	EVS swivel 360 degrees seat base, locking in two (2) positions, fo	\$401.70	1
26-Attendant seat (AST)	AST-HRS-12	The EVS 1880 is a vac-form, seamless ambulance attendant's sea	\$1,545.00	1
27-Cot Configuration (COT)	COT-ANC-23	Stryker Power-Load floor plate. No cot fastener included. Include	\$1,539.85	1
27-Cot Configuration (COT)	COT-POS-17	Universal floor configuration. Includes universal anchoring plates	\$0.00	1
28-Rear Control Panel (CAR)	CAR-CTR-11	Rocker switch controls with LED backlit pictograms.	\$957.90	1
29-Oxygen (OXY)	OXY-NTW-14	Four (4) oxygen outlets. Two (2) in ECC, one (1) on curbside, and	\$736.45	1
29-Oxygen (OXY)	OXY-OUT-11	Quick-connect style oxygen outlet.	\$473.80	4
29-Oxygen (OXY)	OXY-SPR-11	Universal vertical holder for types "K" or "M" main oxygen cyli	\$509.85	1
31-Suction (SUC)	SUC-LOC-11	Main suction system is located in front streetside action area.	\$0.00	1
31-Suction (SUC)	SUC-MOT-11	Thomas high flow vacuum pump	\$401.70	1
31-Suction (SUC)	SUC-OUT-11	Vacuum outlet QD Puritan with yellow 5/16" hose 4 ft long	\$128.75	1
31-Suction (SUC)	SUC-REG-11	Vacuum regulator with disposable canister (Rico RS-4X)	\$375.95	1
32-Electrical System (ELE)	ELE-ALT-14	Kusmaull 120 Volts AC, 20 Amps Automatically disconnects shore	\$793.10	1



32-Electrical System (ELE)	ELE-ALT-18	Pre-wiring for 1000W power Inverter/Charger.	\$159.65	1
32-Electrical System (ELE)	ELE-ALT-15	120V AC hospital-grade electrical outlets with indicator. (Included)	\$0.00	1
32-Electrical System (ELE)	ELE-CON-13	Two (2) ACDelco conversion Batteries. (Included)	\$0.00	1
32-Electrical System (ELE)	ELE-CON-14	12V DC, 20 amp Duplex electrical outlets. (Included)	\$0.00	1
32-Electrical System (ELE)	ELE-GES-11	Demers Electronic Management System (DEMS) – Multiplex system	\$0.00	1
32-Electrical System (ELE)	ELE-GES-12	Multiplex system interface cable for remote diagnosis and support	\$412.00	1
33-Communication System (COM)	COM-RAD-11	Wiring preparation for two-way radio, with two (2) antenna cables	\$46.35	1
33-Communication System (COM)	COM-REC-11	Data recorder available signals through a universal connector in the	\$0.00	1
34-HVAC (CVC)	CVC-CLD-11	The evaporator is tied-in to the OEM air conditioning system, condenser	\$1,375.05	1
34-HVAC (CVC)	CVC-DIF-11	Round outlets for ducted air conditioning unit. (Included)	\$0.00	1
34-HVAC (CVC)	CVC-HOT-11	The heating system is an extension of the OEM heating system, heat	\$0.00	1
34-HVAC (CVC)	CVC-VNT-13	Two (2) exhaust fans for contaminated air. Activated by front corner	\$0.00	1
35-Interior Lights (ILG)	ILG-PLF-11	The ceiling lights have four (4) different intensities. Each time the	\$453.20	8
36-Grab Handles (GBR)	GBR-COL-12	Color of selected grab bars is Yellow.	\$0.00	1
36-Grab Handles (GBR)	GBR-DRS-11	Two (2) door-mounted grab bars, 16" x 16", inside of rear doors (	\$0.00	1
36-Grab Handles (GBR)	GBR-DRS-12	One (1) door-mounted grab bar, 12" each, on the inside of the side	\$0.00	1
36-Grab Handles (GBR)	GBR-EMB-11	Two (2) entry grab bars, 12" each, mounted inside the patient compartment	\$0.00	1
36-Grab Handles (GBR)	GBR-PLF-11	Two (2) ceiling-mounted grab rails, 90".	\$396.55	1
37-Finish and Trim (FNS)	FNS-FLR-11	Lonseal, Lonplate II, Gun Metal floor covering.	\$854.90	1
37-Finish and Trim (FNS)	FNS-GRD-17	Ash grey vinyl upholstery for seat and padding covering. (Included)	\$97.85	1
37-Finish and Trim (FNS)	FNS-GRD-15	Yellow vinyl upholstery for safety exit padding covering. (Included)	\$0.00	1
37-Finish and Trim (FNS)	FNS-MAT-11	Exterior grade plywood, 0,75 inches thick.	\$417.15	1
37-Finish and Trim (FNS)	FNS-PLF-11	Fiberglass ceiling in Patient Compartment. (Included)	\$0.00	1
37-Finish and Trim (FNS)	FNS-STK-11	Vehicle general labels identification. (Included)	\$0.00	1
38-Functionality (FCT)	FCT-PLF-11	Two (2) recessed radio speakers. (Included)	\$0.00	1
38-Functionality (FCT)	FCT-PLF-13	Four (4) recessed flexible IV hooks in ceiling.	\$154.50	1
38-Functionality (FCT)	FCT-RGT-13	Storage compartment, two (2) cabinets, LED strip lighting, and sliding	\$710.70	1
38-Functionality (FCT)	FCT-RGT-21	Trash container bracket in curbside flip-down container.	\$51.50	1
38-Functionality (FCT)	FCT-RWR-11	Digital clock, rear step indicator light, driver intention indicator light	\$643.75	1
			\$183,434.30	
			\$206,731.00	



City Council  
Special Meeting Minutes  
July 7, 2021  
7:00 PM

**1. ROLL CALL WAS TAKEN AND THE FOLLOWING MEMBERS WERE PRESENT:**

• **Members Present**

Councilmember Danczak  
Councilmember Everett  
Council President Gallo  
Councilmember Haase  
Councilmember Rounds  
Councilmember Stavole  
Councilmember Walsh

• **Members Absent**

None

• **Also Present**

Mayor Byrne  
Katie Iaconis, Director of Finance  
Mark Schneider, Assistant Director of Law  
Chrissy Reason, Clerk of Council

**2. PLEDGE OF ALLEGIANCE**

**3. PUBLIC HEARINGS REGARDING THE FOLLOWING ORDINANCES**

- AN ORDINANCE AMENDING TITLE FIVE ZONING ADMINISTRATION OF THE PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1131.02 – DEFINITIONS
- AN ORDINANCE AMENDING TITLE NINE - ZONING USE DISTRICTS OF THE PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1185.02 – PERMITTED USES
- AN ORDINANCE AMENDING TITLE NINE - ZONING USE DISTRICTS OF THE PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1195.05 – COMMERCIAL USE SPECIFIC REGULATIONS

Council President Gallo opened the public hearing up for public comment.  
There were no public comments.  
Council President Gallo closed the public hearing.

**LEGISLATION**

**4. CONSIDERATION OF AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1131.02 DEFINITIONS. THIRD OF THREE READINGS.**

Councilmember Rounds made a motion to read the following Ordinance by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1131.02 DEFINITIONS

Councilmember Rounds made a motion to adopt this Ordinance. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE IS ADOPTED. ORDINANCE NO. 2021-22**

**5. CONSIDERATION OF AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1185.02 PERMITTED USES. THIRD OF THREE READINGS.**

Councilmember Everett made a motion to read the following Ordinance by title only. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1185.02 PERMITTED USES

Councilmember Everett made a motion to adopt this Ordinance. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE IS ADOPTED. ORDINANCE NO. 2021-23**

**6. CONSIDERATION OF AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1195.05 COMMERCIAL USE-SPECIFIC REGULATIONS. THIRD OF THREE READINGS.**

Councilmember Danczak made a motion to read the following Ordinance by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE AMENDING PARMA HEIGHTS CODIFIED ORDINANCE SECTION 1195.05 COMMERCIAL USE-SPECIFIC REGULATIONS.

Councilmember Danczak made a motion to adopt this Ordinance. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh  
**Nay:** None

**ORDINANCE IS ADOPTED. ORDINANCE NO. 2021-24**

## **7. ADJOURNMENT**

Councilmember Stavole made a motion to adjourn the meeting. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh  
**Nay:** None

**MEETING ADJOURNED AT 7:06 PM**

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Chrissy Reason, CMC  
Clerk of Council

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Marie Gallo  
Council President

DRAFT



City Council  
Special Meeting Minutes  
August 9, 2021  
7:00 PM

**1. ROLL CALL WAS TAKEN AND THE FOLLOWING MEMBERS WERE PRESENT:**

- **Members Present**

Councilmember Danczak  
Councilmember Everett  
Council President Gallo  
Councilmember Haase  
Councilmember Rounds  
Councilmember Stavole  
Councilmember Walsh

- **Members Absent**

None

- **Also Present**

Mayor Byrne  
Chrissy Reason, Clerk of Council  
Mark Schneider, Assistant Director of Law  
Dave Byrnes, Director of Safety

**2. PLEDGE OF ALLEGIANCE**

**LEGISLATION**

**3. CONSIDERATION OF AN ORDINANCE AMENDING SECTION 965.11 (SOLID WASTE COLLECTION FEE) OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, TO CERTIFY TO THE COUNTY FISCAL OFFICER THE COSTS DUE TO THE CITY FOR WASTE COLLECTION FEES, AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Walsh made a motion to read the following Ordinance by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE TO BE READ BY TITLE ONLY**

AN ORDINANCE AMENDING SECTION 965.11 (SOLID WASTE COLLECTION FEE) OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, TO CERTIFY TO THE COUNTY FISCAL OFFICER THE COSTS DUE TO THE CITY FOR WASTE COLLECTION FEES, AND DECLARING AN EMERGENCY

Councilmember Walsh made a motion to suspend the rules. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RULES SUSPENDED**

Councilmember Walsh made a motion to adopt this Ordinance. Councilmember Danczak Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**ORDINANCE IS ADOPTED. ORDINANCE NO. 2021-25**

**4. CONSIDERATION OF A RESOLUTION ASSESSING THE COST OF ABATING A CERTAIN NUISANCE, AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Everett made a motion to read the following Ordinance by title only. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION ASSESSING THE COST OF ABATING A CERTAIN NUISANCE, AND DECLARING AN EMERGENCY.

Councilmember Everett made a motion to suspend the rules. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RULES SUSPENDED**

Councilmember Everett made a motion to adopt this Resolution. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-12**

**5. CONSIDERATION OF A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA HEIGHTS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION [PATROLMEN], AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Danczak made a motion to read the following Resolution by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA HEIGHTS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION [PATROLMEN], AND DECLARING AN EMERGENCY.

Councilmember Danczak made a motion to suspend the rules. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RULES SUSPENDED**

Councilmember Danczak made a motion to adopt this Resolution. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-13**

**6. CONSIDERATION OF A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA HEIGHTS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION [CAPTAINS/SERGEANTS], AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Haase made a motion to read the following Resolution by title only. Councilmember Danczak Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PARMA HEIGHTS AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION [CAPTAINS/SERGEANTS], AND DECLARING AN EMERGENCY

Councilmember Haase made a motion to suspend the rules. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds and Stavole

**Nay:** Walsh

**RULES SUSPENDED**

Councilmember Haase made a motion to adopt this Resolution. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None.



**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-14**

**7. CONSIDERATION OF A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Rounds made a motion to read the following Resolution by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None.

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF THE MATERIAL TERMS OF THE ONE OHIO SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, AND DECLARING AN EMERGENCY.

Councilmember Rounds made a motion to suspend the rules. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None.

**RULES SUSPENDED**

Councilmember Rounds made a motion to adopt this Resolution. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None.

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-15**

**8. ADJOURNMENT**

Councilmember Stavole made a motion to adjourn the meeting. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None.

**MEETING ADJOURNED AT 7:39 PM**

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Chrissy Reason, CMC  
Clerk of Council

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Marie Gallo  
Council President

City Council  
Special Meeting Minutes  
August 30, 2021  
7:00 PM

**1. ROLL CALL WAS TAKEN AND THE FOLLOWING MEMBERS WERE PRESENT:**

• **Members Present**

Councilmember Danczak  
Councilmember Everett  
Council President Gallo  
Councilmember Haase  
Councilmember Rounds  
Councilmember Stavole  
Councilmember Walsh

• **Members Absent**

None

• **Also Present**

Mayor Byrne  
Chrissy Reason, Clerk of Council  
Mark Schneider, Assistant Director of Law

**2. PLEDGE OF ALLEGIANCE**

**3. EXECUTIVE SESSION**

- Adjourn to executive session to discuss pending and imminent litigation

Councilmember Stavole made a motion adjourn to executive session to discuss pending and imminent litigation. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

- Executive Session Began: 7:01 PM
- Executive Session Ended: 8:04 PM

**LEGISLATION**

**4. CONSIDERATION OF A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE FIRST AMENDED TO A SETTLEMENT AGREEMENT WITH ATC SIXTEEN REALTY, INC. AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Rounds made a motion to read the following Resolution by title only. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE FIRST AMENDED TO A SETTLEMENT AGREEMENT WITH ATC SIXTEEN REALTY, INC. AND DECLARING AN EMERGENCY

Councilmember Rounds made a motion to suspend the rules. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RULES SUSPENDED**

Councilmember Rounds made a motion to adopt this Resolution. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-16**

**5. CONSIDERATION OF A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH DEALPOINT MERRILL LLC [DEVELOPER] AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Stavole made a motion to read the following Resolution by title only.

Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH DEALPOINT MERRILL LLC [DEVELOPER] AND DECLARING AN EMERGENCY.

Councilmember Stavole made a motion to suspend the rules. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RULES SUSPENDED**

Councilmember Stavole made a motion to adopt this Resolution. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-17**

**6. CONSIDERATION OF A RESOLUTION AUTHORIZING THE SETTLEMENT OF THE LITIGATION CAPTIONED BAYMARK HEALTH SERVICES OF OHIO, INC. ETAL. V. CITY OF PARMA HEIGHTS ETAL., CASE NO. 1:20-CV-02754 AND DECLARING AN EMERGENCY. ONE READING ONLY.**

Councilmember Stavole made a motion to suspend the rules and modify by adding the phrase "\$200,000 as" in Section 2 between "provide" and "contribution" as to read:

Section 2. The city has agreed to provide \$200,000 as contribution toward the settlement and the funds to pay for this expenditure are authorized to be derived from the General Fund.

Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

Councilmember Danczak made a motion to read the following Resolution by title only.

Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION TO BE READ BY TITLE ONLY**

A RESOLUTION AUTHORIZING THE SETTLEMENT OF THE LITIGATION CAPTIONED BAYMARK HEALTH SERVICES OF OHIO, INC. ETAL. V. CITY OF PARMA HEIGHTS ETAL., CASE NO. 1:20-CV-02754 AND DECLARING AN EMERGENCY

Councilmember Danczak made a motion to suspend the rules. Councilmember Stavole Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RULES SUSPENDED**

Councilmember Danczak made a motion to adopt this Resolution. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None

**RESOLUTION IS ADOPTED. RESOLUTION NO. 2021-18**

**7. ADJOURNMENT**

Councilmember Stavole made a motion to adjourn the meeting. Councilmember Everett Seconded.

**Aye:** Danczak, Everett, Gallo, Haase, Rounds, Stavole and Walsh

**Nay:** None.

**MEETING ADJOURNED AT 8:09 PM**

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Chrissy Reason, CMC  
Clerk of Council

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Marie Gallo  
Council President

DRAFT

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES  
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

(CITY COUNCIL)  
Revised Code, Secs. 5705.34-5705.35

The Council of the City of Parma Heights, Cuyahoga  
County, Ohio, met in \_\_\_\_\_ session on the \_\_\_\_\_ day of \_\_\_\_\_  
(Regular Or Special)  
2021, at the office of \_\_\_\_\_ with the following members  
present:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mr./Mrs. \_\_\_\_\_ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously  
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st,

2022; and

WHEREAS, The Budget Commission of Cuyahoga County, Ohio, has  
certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate  
of each tax necessary to be levied by this Council, and what part thereof is without, and what part  
within the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Parma Heights,  
Cuyahoga County, Ohio, that the amounts and rates, as determined  
by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate  
of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A**  
**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET**  
**COMMISSION AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATES**

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
General Fund			1.60	5.30
General Bond Retirement Fund			1.20	0.30
Police Pension			0.30	
Park Fund				0.00
Recreation Fund				0.50
Capital Improvement Fund				0.50
Fire Pension Fund			0.30	
<b>TOTAL</b>	\$0	\$0	3.40	6.60



**SCHEDULE B**

**LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A, Column II)
<b>GENERAL FUND:</b>		
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
<b>Total General Fund outside 10m. Limitation.</b>		
Park Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Recreation Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.		
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	
Fund: Levy authorized by voters on for not to exceed _____ years.	,20	

and be it further

**RESOLVED**, That the Clerk of this Council be and he is hereby directed to certify a copy of this

Resolution to the Fiscal Officer of said County.

Mr./Mrs. \_\_\_\_\_ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. \_\_\_\_\_

Mr./Mrs. \_\_\_\_\_

Mr./Mrs. \_\_\_\_\_

Adopted the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Attest:

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council

**CERTIFICATE OF COPY  
ORIGINAL ON FILE**

The State of Ohio, \_\_\_\_\_ County, ss.

I, \_\_\_\_\_, Clerk of the Council of the City

of \_\_\_\_\_ within and for said County, and in whose custody the Files  
and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby  
certify that the foregoing is taken and copied from the original \_\_\_\_\_

\_\_\_\_\_

now on file, that the foregoing has been compared by me with said original document,  
and that the same is a true and correct copy thereof.

WITNESS my signature, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Clerk of Council

No. \_\_\_\_\_

\_\_\_\_\_  
COUNCIL OF THE CITY OF

\_\_\_\_\_  
County, Ohio.

\_\_\_\_\_  
**RESOLUTION  
ACCEPTING THE AMOUNTS AND RATES  
AS DETERMINED BY THE BUDGET  
COMMISSION AND AUTHORIZING THE  
NECESSARY TAX LEVIES AND CERTIFYING  
THEM TO THE COUNTY FISCAL OFFICER**

(City Council)

\_\_\_\_\_  
Adopted \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Filed \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
County Fiscal Officer

By \_\_\_\_\_  
Deputy



**FISCAL DEPARTMENT**

August 16, 2021

Dear: Fiscal Officer

Attached is the Tax Rate Resolution for tax year 2021.

Please adopt the tax rates for your subdivision and E-mail a signed Tax Rate Resolution to our office by September 30, 2021.

Feel free to contact the Budget Commission if you have any questions or concerns.

Thank you,

Sincerely,

Bryan Dunn, Administrator

Cuyahoga County Budget Commission

## **PLANNING COMMISSION REPORT**

The Planning Commission met on Wednesday, June 30, 2021 to review the revised application for BayMark Health Services of Ohio, Inc. The Planning Commission approved the revised application.

The Planning Commission met on Monday, July 12, 2021 to consider the Conditional Use Application and Site Plan Application for DealPoint Merrill, LLC. A representative for DealPoint gave the presentation.

On Monday, August 9, 2021, a Public Hearing was held regarding the Conditional Use Application for DealPoint Merrill, LLC. Comments were received from the contiguous neighbors.

On Monday, August 30, 2021, the Planning Commission approved the proposed conditions for the Conditional Use Application for DealPoint Merrill, LLC. The Commission referred the application to the Council for review pursuant to 1135.06 {c} of the Codified Ordinances.

In the event that a permit for a conditional use is granted by the Council subject to conditions, the grantee shall, in writing within ten days following such Council action, acknowledge such approval and unconditionally accept and agree to such conditions.