

**City of Parma Heights
Special Council and
Public Hearing Meeting Minutes
October 7, 2024**

Council President Rounds called the Parma Heights Special City Council and Public Hearing meeting to order for Monday, October 7, 2024, to order at 7:00 p.m.

PRESENT: Council President Rounds, Haase, Durichko, Palmisano, DeSouza, Kolezynski, Maruschak and Council Clerk Allen.

ADMINISTRATION PRESENT: Mayor Gallo, Director of Law Schneider, Service Director Sepik

Pledge of Allegiance was spoken

Council President Rounds made a motion to recess to hold a public hearing on the proposed legislation (items 4 and 5) of this agenda; seconded by Councilwoman DeSouza

Clerk Allen called Roll Call: Aye: Durichko, Palmisano, DeSouza, Kolezynski, Maruschak, Haase, Rounds

Council President Rounds explained that we are taking a recess from our agenda, turned the Public Hearing portion of the meeting over to Director Schneider. We would ask if there is anyone in the audience that would like to speak in regards to items 4 and 5?

Director Schneider explained that any format for this Public Hearing is acceptable. I would first ask if the publication in a newspaper in general circulation in at least 30 days' notice of this hearing? Clerk Allen have we had such publication and notice?

Clerk Allen responded, yes, we have.

Director Schnieder continued to asked to give the public who are present an opportunity to state any comments they have to the two items that are subject to the Public Hearing and those are amendments to Chapters 1185.02 and 1190. I would call out for any public comment at this time, hearing none. I would call a second for public comment on these items, hearing none, I would call a third and final time is there any member of the public to please state your comments for the record, please come forward, identify yourself, hearing none. Council President, you have fulfilled the requirements both in notice, publication as well as convening and holding this public meeting. With that, that concludes our public hearing and you are free at this time to reconvene the Council meeting.

Council President Rounds asked the Director how many times the public has been made aware of the of these items, whether it be Council, Planning, Zoning publications, agenda's, what does that timeframe look like?

Director Schneider responded that over this past summer Special Council meetings were held regarding the revision in Chapter 1190 and Chapter 1185.02 of the Codified Ordinances that effect zoning and as they affect marijuana dispensaries. The public was given proper notice and given an opportunity to attend those meetings. Those items, pursuant to our Charter and Codified Ordinances were referred to the Planning Commission. From there Clerk Allen published in a newspaper of general publication given at least 15 days' notice of a Special Planning Commission and Public Hearing on these issues. The commission did not vote at that meeting. The Planning Commission then held another Special Planning Commission and Public Hearing meeting and it was at that meeting that they considered those items and favorably recommended them back to City Council. A publication was posted

giving a 30-day notice that City Council would hold a Public Hearing which is what is before you today. In the meantime, between the posting and today, there have been prior readings by this council each were advertised and notice provided to the public.

Council President Rounds mentioned being in attendance at the Planning Commission meetings as well as the Council meetings in which these items were discussed, there was no one in the audience wishing to speak (pro or con) of any of these items. I'd like to make a motion to resume the Special City Council meeting to consider the remaining agenda items; seconded Councilman Haase

Clerk Allen called Roll Call: Aye: Palmisano, DeSouza, Kolezynski, Maruschak, Haase, Durichko, Rounds

Council President Rounds stated that we have resumed the regular meeting at 7:09 p.m. and we will move right into our Legislation.

LEGISLATION

2024 - 49: ORDINANCE TO BE READ BY TITLE ONLY

Councilwoman Durichko motioned; seconded by Councilwoman Maruschak to read the following ordinance by title only.

Clerk Allen called Roll Call: Aye: DeSouza, Kolezynski, Maruschak, Haase, Durichko, Palmisano, Rounds

Clerk Allen read: **ORDINANCE NO. 2024 - 49**

AN ORDINANCE AMENDING CHAPTER 752 PREVIOUSLY ENTITLED "MEDICAL MARIJUANA OPERATIONS" OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY, AS AMENDED

Council President Rounds asked if there are there any questions or comments on this ordinance? Seeing none.

Councilwoman Durichko motioned; seconded by Councilwoman Maruschak to move for passage.

Clerk Allen called Roll Call: Aye: Kolezynski, Maruschak, Haase, Durichko, Palmisano, DeSouza, Rounds

Ordinance passes

2024 - 50: ORDINANCE TO BE READ BY TITLE ONLY

Councilwoman Palmisano motioned; seconded by Councilwoman DeSouza to read the following ordinance by title only.

Clerk Allen called Roll Call: Aye: Maruschak, Haase, Durichko, Palmisano, DeSouza, Kolezynski, Rounds

Clerk Allen read: **ORDINANCE NO. 2024 - 50**

AN ORDINANCE AMENDING CHAPTER 1190 PREVIOUSLY ENTITLED "MEDICAL MARIJUANA DISPENSARIES" OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY, AS AMENDED

Council President Rounds asked if there are there any questions or comments on this ordinance? Seeing none.

Councilwoman Palmisano motioned; seconded by Councilwoman DeSouza to move for passage.

Clerk Allen called Roll Call: Aye: Haase, Palmisano, DeSouza, Maruschak, Rounds
Nay: Durichko, Kolezynski

Ordinance passes

2024 - 51: ORDINANCE TO BE READ BY TITLE ONLY

Councilwoman DeSouza motioned; seconded by Councilwoman Maruschak to read the following ordinance by title only.

Clerk Allen called Roll Call: Aye: Durichko, Palmisano, DeSouza, Kolezynski, Maruschak, Haase, Rounds

Clerk Allen read: **ORDINANCE NO. 2024 - 51**

AN ORDINANCE AMENDING SECTION 1185.02 ENTITLED "PERMITTED USES" OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY, AS AMENDED

Council President Rounds asked if there are there any questions or comments on this ordinance?

Councilwoman Durichko stated that she thought long and hard about this piece and I supported the passage of Issue 2 last year and the decriminalization. I am hung up on the zoning piece of it. I just wanted that to be part of the record. I support the legalization; the zoning is where I get hung up.

Councilman Kolezynski added that his decision is based on the lack of public input. I know we have tried to get people here and I respect that, but the people I have talked to do not seem to want this in that neighborhood so that's why I'm voting the way I'm voting.

Council President Rounds added that if they speak to you but aren't willing to speak to others, the point goes quiet. We could have a lot of people saying that but if there not willing to come and speak or even contact us individually. I respect your vote. Any other questions or comments? Seeing none.

Councilwoman DeSouza motioned; seconded by Councilwoman Maruschak to move for passage.

Clerk Allen called Roll Call: Aye: Palmisano, DeSouza, Maruschak, Haase, Rounds
Nay: Kolezynski, Durichko

Ordinance passes

2024 - 57: ORDINANCE TO BE READ BY TITLE ONLY

Councilman Haase motioned; seconded by Councilwoman Maruschak to read the following ordinance by title only.

Clerk Allen called Roll Call: Aye: DeSouza, Kolezynski, Maruschak, Haase, Durichko, Palmisano, Rounds

Clerk Allen read: **ORDINANCE NO. 2024 - 57**

AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO PROCEED WITH A LOT SPLIT OF CITY-OWNED PROPERTY LOCATED AT 6188 PEARL ROAD IN THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY, AS AMENDED

Council President Rounds asked if there any questions or comments on this ordinance? Seeing none.

Councilman Haase motioned; seconded by Councilwoman Maruschak to move for passage.

Clerk Allen called Roll Call: Aye: Kolezynski, Maruschak, Haase, Durichko, Palmisano, DeSouza, Rounds

Ordinance Passes

2024 - 52: ORDINANCE TO BE READ BY TITLE ONLY

Councilwoman Maruschak motioned; seconded by Councilman Haase to read the following ordinance by title only.

Clerk Allen called Roll Call: Aye: Maruschak, Haase, Durichko, Palmisano, DeSouza, Kolezynski, Rounds

Clerk Allen read: **ORDINANCE NO. 2024 – 58**

AN ORDINANCE DIRECTING THAT THE REAL PROPERTY OWNED BY THE CITY OF PARMA HEIGHTS AND KNOWN AS PORTIONS OF PPNS 471-17-023, 471-17-025, 471-17-027, AND 471-17-028, TOTALING APPROXIMATELY 2.8713 ACRES, BE SOLD TO THE CUYAHOGA COUNTY PUBLIC LIBRARY, AND FURTHER AUTHORIZING THE ADMINISTRATION TO EXECUTE A REAL ESTATE PURCHASE AGREEMENT AND ALL OTHER DOCUMENTS REQUIRED TO EFFECTUATE SAID SALE, AND DECLARING AN EMERGENCY, AS AMENDED

Council President Rounds asked if there are there any questions or comments on this ordinance? Seeing none.

Councilwoman Maruschak motioned; seconded by Councilwoman DeSouza to move for passage.

Clerk Allen called Roll Call: Aye: Haase, Durichko, Palmisano, DeSouza, Kolezynski, Maruschak, Rounds

Ordinance Passes

2024 - 60: RESOLUTION TO BE READ BY TITLE ONLY

Councilman Haase motioned; seconded by Councilwoman DeSouza to read the following resolution by title only.

Clerk Allen called Roll Call: Aye: Durichko, Palmisano, DeSouza, Kolezynski, Maruschak, Haase, Rounds

Clerk Allen read: **RESOLUTION NO. 2024 – 60**

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT, WITH CONDITIONS, PURSUANT TO CHAPTER 1135 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS TO PERMIT THE CUYAHOGA COUNTY PUBLIC LIBRARY TO ALLOW FOR CONSTRUCTION OF A NEW PUBLIC LIBRARY, AND DECLARING AN EMERGENCY, AS AMENDED

Council President Rounds as if there are there any questions or comments on this resolution? Seeing none.

Councilman Haase motioned; seconded by Councilwoman DeSouza to move for passage.

Clerk Allen called Roll Call: Aye: Palmisano, DeSouza, Kolezynski, Maruschak, Haase, Durichko, Rounds

Resolution Passes

2024 - 73: RESOLUTION TO BE READ BY TITLE ONLY

Councilwoman Durichko motioned; seconded by Councilman Haase to read the following resolution by title only.

Clerk Allen called Roll Call: Aye: DeSouza, Kolezynski, Maruschak, Haase, Durichko, Palmisano, Rounds

Clerk Allen read: **RESOLUTION NO. 2024 - 73**

A RESOLUTION REVOKING THE TEMPORARY MORATORIUM ON THE EFFECTIVE DATE OF RECREATIONAL MARIJUANA [STATE ISSUE 2], AND DECLARING AN EMERGENCY

Council President Rounds asked if there are there any questions or comments on this resolution? Seeing none.

Councilwoman Durichko motioned; seconded by Councilwoman DeSouza to move for passage.

Clerk Allen called Roll Call: Aye: Kolezynski, Maruschak, Haase, Palmisano, DeSouza, Rounds
Nay: Durichko

Resolution Passes

ADJOURNMENT

Council President Rounds asked for a motion for adjourn? Councilwoman DeSouza motioned; seconded by Councilwoman Maruschak to adjourn the meeting.

Clerk Allen called Roll Call: Aye: Maruschak, Haase, Durichko, Palmisano, DeSouza, Kolezynski, Rounds

Meeting adjourned at 7:18 p.m.



Barbara Allen
Clerk of Council



Tom Rounds
President of Council