



City of Parma Heights Council Meeting

6281 Pearl Road
Tuesday, October 15, 2024
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

**ACTION ON MINUTES: SEPTEMBER 23, 2024 – COUNCIL MEETING
 OCTOBER 7, 2024 – SPECIAL COUNCIL AND PUBLIC HEARING**

REPORTS FROM MAYOR AND DIRECTORS

COMMUNICATIONS: PLANNING COMMISSION UPDATE – COUNCILMAN HAASE

PUBLIC SESSION

LEGISLATION:

1. Third Reading
**ORDINANCE NO. 2024 - 70
AN ORDINANCE AMENDING SECTION 961.01 ENTITLED “ALCOHOLIC BEVERAGES PROHIBITED” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY**

2. First Reading
**ORDINANCE NO. 2024 - 76
AN ORDINANCE AMENDING SECTION 151.01 ENTITLED “PERSONNEL” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY**

3. **ORDINANCE NO. 2024 - 77
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 DECLARING AN EMERGENCY.**

4. **RESOLUTION NO. 2024 - 78
A RESOLUTION AUTHORIZING THE ADMINISTRATION TO DISPOSE OF OBSOLETE CITY VEHICLES AND EQUIPMENT AT A PUBLIC SALE THROUGH GOVPLANET/IRONPLANET, AND DECLARING AN EMERGENCY**

ADJOURNMENT

ORDINANCE NO. 2024 - 70

AN ORDINANCE AMENDING SECTION 961.01 ENTITLED “ALCOHOLIC BEVERAGES PROHIBITED” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Administration is recommending that Section 961.01 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 961.01 of the Codified Ordinances as it previously existed is amended, and as amended, shall henceforth read as shown by edits set forth in Exhibit “A”, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of the Municipality, and for the further reason that it is necessary to facilitate seasonal programming; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____ MAYOR MARIE GALLO

EXHIBIT A

961.01 ALCOHOLIC BEVERAGES PROHIBITED.

(a) No person shall have in his possession or use any beer, liquor or wine, or other beverage having an alcoholic content, in or upon any property owned by the City for any purpose whatsoever or in or upon any property which the City has leased, rented or licensed, and which is under the control and supervision of the City or its officers or employees, except as otherwise provided in this section.

(b) The Administration is authorized to approve the possession, sale, service, and on-site consumption of alcoholic beverages at facilities owned or leased by the City, for public or private events, limited to At certain specifically designated areas and at restricted times, and subject to compliance with regulations and permit requirements of the Division of Liquor Control. where meals or lunches are served, Any vendor participating in the service of alcoholic beverages on City grounds must do so in compliance with Ohio Revised Code Chapters 4301 and 4303 or as the holder of a permit issued by the Division of Liquor Control and in force at the time of service. the serving of alcoholic beverages may be permitted under the strict regulation and control of the Mayor. The alcoholic beverages shall be served for consumption on the immediate premises only.

(Ord. 2012-22. Passed 6-11-12.)

ORDINANCE NO. 2024 - 76

AN ORDINANCE AMENDING SECTION 151.01 ENTITLED “PERSONNEL” OF THE PARMA HEIGHTS CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY

WHEREAS, the Administration is recommending that Section 151.01 of the Parma Heights Codified Ordinances be amended; and

WHEREAS, this Council desires to adopt the recommendation of the Administration.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That Section 151.01 of the Codified Ordinances as it previously existed is amended, and as amended, shall henceforth read as shown by edits set forth in Exhibit “A”, which is attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure for the immediate preservation of the public health, peace, and safety of the Municipality, and for the further reason that it is necessary to maintain appropriate staffing of safety forces; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

151.01 PERSONNEL.

(a) The Department of Police shall be composed of ~~a one~~ Chief of Police, and a command structure that may include up to two Captains, ~~who shall be the~~ Assistant Chiefs, ~~eight~~ Sergeants, and so many 23 Patrolmen as are deemed necessary by the Chief of Police and approved by the Mayor, any such special police officers as the Mayor shall from time to time designate, and any interim or temporary appointments acting in the positions described above.

(b) In case of an emergency, the Mayor may appoint additional police officers for temporary service in the Department who need not be in the classified list of such Department. Such additional persons shall be employed for the time during which the emergency exists, but not in excess of 120 days.

(c) When a circumstance of unavailability or vacancy occurs in the office of Chief, Captain or Sergeant, the Mayor may appoint, from the regular members, an Acting Chief, Acting Captain or Acting Sergeant, pending promotional exams, and may also appoint a police officer in accordance with the provisions of the City Charter, and the rules and regulations of the Civil Service Commission.

(Ord. 2019-5. Passed 2-11-19; Ord. 2019-26. Passed 6-24-19; Ord. 2023-60. Passed 9-25-23.)

ORDINANCE NO. 2024 – 77

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 DECLARING AN EMERGENCY.

WHEREAS, American Legal Publishing Corporation has completed its most recent updating and revision of the Codified Ordinances of the City, and

WHEREAS, various ordinances of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances (January 8, 2024) have been included in the Codified Ordinances of the City, and

WHEREAS, certain changes were made in the Codified Ordinances to bring City law into conformity with State law:

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, Cuyahoga County, State of Ohio:

Section 1: The editing, arrangement and numbering or renumbering of the following ordinances and resolutions and parts of ordinances and resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2024-1	1-8-24	121.07
2024-2	1-8-24	153.12
2024-9	3-11-24	121.07
2024-11	3-25-24	1394.01 - 1394.11
2024-12	3-25-24	618.27
2024-13	3-25-24	715.01 - 715.04, 715.99
2024-15	3-25-24	727.03
2024-16	3-25-24	906.13
2024-17	3-25-24	751.01 - 751.10, 751.99
2024-18	3-25-24	755.01
2024-19	4-8-24	618.29
2024-20	3-25-24	735.01 - 735.03, 735.99
2024-21	3-25-24	335.15
2024-22	3-25-24	634.08

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2024-23	3-25-24	634.09
2024-24	3-25-24	1321.01 - 1321.10, 1321.99
2024-29	4-22-24	145.04
2024-45	6-24-24	1193.01 - 1193.04
2024-48	6-24-24	965.11

Section 2: The following sections of the Codified Ordinances are or contain new matter in the Codified Ordinances and are hereby approved, adopted and enacted: 612.07, 620.19.

Section 3: Pursuant to R.C. § 731.23 and Sections 123.01 et seq. of the Codified Ordinances, the Clerk of Council shall post a copy of this ordinance, together with a summary of the new matter contained in the 2024-A Replacement Pages hereby approved, adopted and enacted, a copy of which summary is attached hereto as Exhibit “A”, for a period of not less than fifteen days in the five public places as required by law.

Section 4: All ordinances and resolutions or parts thereof which are in conflict or inconsistent with any provision of the new matter adopted in Section 2 of this ordinance are hereby repealed as of the effective date of this ordinance except as follows:

- (a) The enactment of such sections shall not be construed to affect a right or liability accrued or incurred under any legislative provision prior to the effective date of such enactment, or an action or proceeding for the enforcement of such right or liability. Such enactment shall not be construed to relieve any person from punishment for an act committed in violation of any such legislative provision, nor to affect an indictment or prosecution therefor. For such purposes, any such legislative provision shall continue in full force notwithstanding its repeal for the purpose of revision and recodification.
- (b) The repeal provided above shall not affect any legislation enacted subsequent to June 24, 2024.

Section 5: Council finds and determines that all formal action of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 6: This Ordinance is hereby declared to be an emergency measure immediately necessary for the public peace, health, and safety of the City, and for the further reason that it is immediately necessary to have an up-to-date codification of the legislation of the City, one which is consistent with the latest State law, where and as required by the Ohio Constitution, with which to administer the affairs of the City, ensure law and order, and avoid practical and legal entanglements; wherefore, this ordinance, together with the 2024-A Replacement Pages, shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL APPROVED

FILED WITH
THE MAYOR: _____
MAYOR MARIE GALLO

EXHIBIT A

SUMMARY OF NEW MATTER
CONTAINED IN THE 2024-A REPLACEMENT PAGES
FOR THE CODIFIED ORDINANCES
OF PARMA HEIGHTS, OHIO

New matter in the Codified Ordinances of Parma Heights, Ohio, as contained in the 2024-A Replacement Pages therefor, includes legislation regarding:

<u>Section</u>	<u>New or amended matter regarding:</u>
612.07	Open container prohibited
620.19	Adult use cannabis control; limitations on conduct by individuals

RESOLUTION 2024 - 78

A RESOLUTION AUTHORIZING THE ADMINISTRATION TO DISPOSE OF OBSOLETE CITY VEHICLES AND EQUIPMENT AT A PUBLIC SALE THROUGH GOVPLANET/IRONPLANET, AND DECLARING AN EMERGENCY

WHEREAS, the Council authorized membership in the National Joint Power Alliance [now known as Sourcewell], a purchasing cooperative in Ordinance No. 2017-3; and

WHEREAS, GovPlanet/IronPlanet is a vendor of the National Joint Power Alliance [now known as Sourcewell]; and

WHEREAS, GovPlanet/IronPlanet will provide the City of Parma Heights with auction services for the disposal of obsolete city vehicles and equipment; and

WHEREAS, the Administration recommends that the vehicles and equipment listed on Exhibit “A” be removed from service as a result of their age and mechanical condition.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: The Administration is authorized and directed to dispose of obsolete city vehicles at a public sale through GovPlanet/IronPlanet, a list of which is described in Exhibit “A”, attached hereto and incorporated by reference.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of the Council and of any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meeting open to the public, in compliance with the law.

Section 3: This Council declares the Resolution to be an emergency measure for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that it is necessary to accommodate immediate storage requirements and avoid a disruption in public service; wherefore, it shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR MARIE GALLO

Exhibit A

2009	FORD	EXPEDITION	1FMFK16569EB27120
2008	CHEV	UPLANDER	1GNDV23W28D133384
2014	CHEV	IMPALA	2G1WD5E33E1158142