

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: April 11, 2016

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**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 9:38 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and initiated the pledge of allegiance with the following members and visitors present:

**COUNCIL MEMBERS:**

Mary Booth	Present	Douglas Mayer, Mayor	Present
Diane Holody	Present	Daniel Schneider	Present
Carol Kramer	Present	Pamela Schneider	Present
Michael Matusz	Present		

**OTHERS PRESENT:**

Brad Bryan, John Stiegel, Kevin Kramer, Peggy Hauberg, Tina Stephens, Mark Anson, Greg Canda, Bill Roemer, Bob Hrovat, Joe Mazur

**CITIZEN PARTICIPATION:**

Resident, Bob Horvat stated for the record, that was disappointed that Council filled the vacant Council seat, left by Doug Anderson without posting it. Resident, Kathy Bertsch stated that according to Ohio statute, citizens do not have the vote, it is the responsibility of Council to fill the vacant seat.

Bill Roemer, of Richfield introduced himself and stated that he was elected as a member of the Summit County Education Service Center Board and is a candidate for County Executive, and if elected will give appropriate representation across Summit County. Mr. Roemer stated that he would be available after the meeting if anyone would like to discuss anything.

**COUNCIL PARTICIPATION:**

The Mayor requested nominations for President Pro Tempore.

**MOTION TO NOMINATE DANIEL SCHNEIDER AS PRO-TEMPORE.**

Moved by Mr. Matusz, seconded by Ms. Holody.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, nay; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed 5 to 1.** (Motion 43 -2016)

A motion was made and withdrawn to appoint Dee Holody as Vice President by Dan Schneider. Solicitor Bryan stated that the position of Vice President Pro-tempore does not exist under Ohio Revised Code. The Village could create the position as an administrator function of Council through legislation.

Ms. Holody stated that the Garden Club has a tree fund, and each year they plant a tree or two in the Village. They would like permission to look at the Village property to possibly plant some flowering bushes. Council agreed to allow the Garden Club to look at planting something on the Village property.

Ms. Schneider announced that she had accepted a position as Secretary of Zoning for Boston Township. The Solicitor will look into any conflict with Ms. Schneider serving on boards or committees involving Boston Township.

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**MAYOR'S REPORT**

The Mayor announced that it is time for the yearly invitation to Boston Township for Cemetery one-mil.

The Mayor asked for a motion to appoint Charles Uray as Village Engineer and Street Commissioner.

**MOTION TO NOMINATE CHARLES URAY AS VILLAGE ENGINEER & STREET COMMISSIONER.**

Moved by Ms. Holody, seconded by Mr. Schneider.

Call for discussion made by Solicitor Bryan: Ms. Booth asked the Mayor what Mr. Uray's responsibility would be? The Mayor replied that Mr. Uray is very knowledgeable and in the past has consulted with the Service Department employees and advised them on the correct way to fix a problem.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 44 -2016)

The Mayor announced that Chief Varga has decided that he would like the carpet replaced in his office, the Mayor has a price of \$450, which includes removing the old and installing the new. The Mayor asked for a motion.

**MOTION TO REPLACE THE CARPET IN CHIEF'S OFFICE, NOT TO EXCEED \$450.00.**

Moved by Ms. Holody, seconded by Mr. Schneider.

Call for discussion made by Solicitor Bryan: Mrs. Kramer stated that she thought it was a good idea to replace the flooring. Ms. Holody asked how much has been spent to date on Police Dept. flooring? The Mayor replied 2325 for the squad room +1450 for the file room and investigation room +450 for carpet squares in the locker area. The Mayor stated that Mr. Wise provided a quote to continue the flooring through the administrative office and Mayor's office for an additional 2,469.98, for a total of 6,694.98. Ms. Holody asked the Fiscal Officer how much had been budgeted for repairs? Mr. Stiegel replied 8,000. Ms. Schneider asked if money to replace the counter in the Police Dept. was part of the 8,000? Mr. Stiegel replied yes. Ms. Holody asked Mrs. Kramer her opinion of the carpet in the administrative office and Mayor's office, Mrs. Kramer verified that the carpet is in bad shape. Council agreed to vote on the motion.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 45 -2016)

Council agreed to wait on the rest of the flooring. The Mayor will bring estimates for the counter to the May meeting.

**SOLICITOR'S REPORT:**

Solicitor Bryan thanked Council for appointing him as Village Solicitor, and he looks forward to working with everyone.

**FISCAL OFFICER'S REPORT:**

The Fiscal Officer requested a motion to approve the Minutes of March 21, 2016. Mrs. Kramer noted a correction on page 3 to the sentence "The Mayor stated that Mr. Anderson gave everyone a copy of what he had been working, with his letter of resignation." the word "on" was left out. Ms. Holody, noted a correction on page 3 to the sentence "The Solicitor replied that the Chief is submitting a grant for radios, the State grant wants matching money, but he is requesting 100%" Ms. Holody asked to strike the line because it is not accurate. The Solicitor misspoke, the grant was never submitted, the line should read "Grant was not able to be submitted."

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**MOTION: TO AMEND THE MINUTES AS CORRECTED.**

Moved by Mrs. Kramer, seconded by Ms. Holody.

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, abstain; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 46 -2016)

**MOTION: TO APPROVE THE MARCH 21, 2016 MINUTES AS CORRECTED.**

Moved by Ms. Schneider, seconded by Mrs. Kramer.

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, abstain; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 47 -2016)

**MOTION: TO ACKNOWLEDGE THE FINANCIAL REPORTS.**

Moved by Ms. Holody, seconded by Ms. Schneider.

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 48 -2016)

**MOTION: TO PAY THE BILLS.**

Moved by Mr. Schneider, seconded by Ms. Schneider.

Call for discussion made by Solicitor Bryan: No Response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 49 -2016)

**POLICE DEPARTMENT:**

The Mayor stated that the Chief put in a request to purchase ammunition. The ammunition would replenish the ammunition used for recertification. The Mayor asked for a motion.

**MOTION: TO PURCHASE AMMUNITION AT A COST OF 3,010.00**

Moved by Mrs. Kramer, seconded by Ms. Schneider.

Call for discussion made by Solicitor Bryan: Ms. Holody asked the Fiscal Officer if this was the amount spent every year? Mr. Stiegel answered yes.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 50 -2016)

**SERVICE DEPARTMENT**

The Mayor stated that Mr. Schneider and Mr. Matusz met with the Service Dept. employees regarding the tractors. Council discussed the status of the mowing equipment. It was decided that the Village would repair the mowers in house. It was agreed to look into supplies to build a lean to, to cover the equipment. Mr. Matusz and Mr. Schneider will bring pricing to May Council meeting.

**ZONING**

Nothing.

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**BOARD OF ZONING APPEALS**

Nothing.

**PLANNING COMMISSION**

The Mayor announced that Joe Mazur filled the vacant seat on Planning Commission.

**RECORDS**

Nothing.

**FIRE BOARD**

Mr. Schneider reported that Valley Fire District applied for a FEMA Grant for swift water rescue. There is an instructor in the department qualified to train the others. The Mayor asked if other areas were coming to Valley Fire District asking assistance at this time. Mr. Schneider replied that at this time they haven't heard anything.

**CEMETERY BOARD**

Nothing.

**JEDD BOARD**

**MOTION: TO APPOINT MARY BOOTH TO THE JEDD BOARD**

Moved by Mr. Schneider, seconded by Mrs. Kramer.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 51 -2016)

**LEGISLATION**

*First Readings:*

**RESOLUTION 6-2016**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE AGREEMENT FOR ANNUAL CODIFICATION SUPPLEMENT WITH THE WALTER DRANE CO.

**MOTION: TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 6-2016.**

Moved by Ms. Holody, seconded by Ms. Schneider.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 52 -2016)

**MOTION: TO ADOPT RESOLUTION 6-2016.**

Moved by Mrs. Kramer, seconded by Mr. Schneider.

Call for discussion made by Solicitor Bryan: Ms. Holody asked if Walter Drane would update annually, and asked if the fee included online updates. Ms. Schneider questioned the date of 2017. Walter Drane will update annually online, beginning with the end of 2016.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 53 -2016)

**RESOLUTION 7-2016**

AN EMERGENCY RESOLUTION CONFIRMING THE APPOINTMENT OF DAVID MOREHOUSE AS A SEASONAL SERVICE DEPARTMENT EMPLOYEE FOR THE LATE SPRING, SUMMER, AND EARLY FALL OF 2016.

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**MOTION: TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 7-2016.**

Moved by Mrs. Kramer, seconded by Ms. Matusz.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, nay; Pamela Schneider, nay. **Motion failed.** (Motion 54 -2016)

Ms. Holody asked if Council could discuss. Solicitor Bryan said that Ms. Holody could make a motion to discuss.

**MOTION: TO DISCUSS THE SEASONAL EMPLOYEE.**

Moved by Ms. Holody, seconded by Ms. Schneider.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 55 -2016)

Council discussed whether the Village needed a Seasonal Employee. Ms. Schneider stated that she did not see a need for a second part-time employee. Mr. Matusz stated that he thought a Seasonal employee was a good thing for the Village and saved the Village money. Ms. Holody asked the Mayor, as the Service Department supervisor how he thought the Seasonal employee was working out. The Mayor stated that having a part-time Seasonal employee was working out well and that it was all the Village could afford at this time. Ms. Booth asked how long the Village could keep someone and call them "Seasonal". The Solicitor stated that a Seasonal employee is defined as someone who has a specific term, a beginning and end based on a Seasonal issue. Mr. Morehouse was going to take some time off at the end of the month and then would be rehired. Mr. Schneider stated that the Seasonal employee should work no more than 24 hours and should work the days that Mr. Halko does not work. Mrs. Kramer stated that she thought the benefit of having the Seasonal employee was to complete the work that required two people, such as chipping.

The Solicitor stated that the Resolution will go to second reading in May, unless one of the Schneiders would like to change their mind. They did not wish to.

**ORDINANCE 5-2016**

**AN EMERGENCY ORDINANCE SETTING FORTH THE COMPENSATION OF THE ZONING INSPECTOR.**

Council discussed the proposed pay rate and what it had been in the past. Council discussed who appoints the Zoning Inspector.

**MOTION: TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF ORDINANCE 5-2016.**

Moved by Ms. Holody, seconded by Mr. Matusz.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 56 -2016)

**MOTION: TO ADOPT ORDINANCE 5-2016.**

Moved by Ms. Holody, seconded by Mrs. Schneider.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 57 -2016)

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*Second Readings:*

**RESOLUTION 5-2016**

A RESOLUTION APPROVING THE VILLAGE OF PENINSULA, OHIO TO JOIN THE OHIO ONLINE CHECKBOOK INITIATIVE.

**MOTION:** TO SUSPEND THE 2<sup>nd</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 5-2016.

Moved by Ms. Holody, seconded by Mrs. Schneider.

Call for discussion made by Solicitor Bryan: Mrs. Kramer stated that she did not think it was necessary to vote on it tonight, giving Ms. Booth have an opportunity to review the information. Mrs. Kramer stated that she preferred that the Resolution have 3 readings.

Votes were: Mary Booth, nay; Dee Holody, nay; Carol Kramer, nay; Michael Matusz, nay; Daniel Schneider, nay; Pamela Schneider, nay. **Motion failed.** (Motion 58 -2016)

The Solicitor stated that Resolution 5-2016 will go to third reading in May.

**MOTION:** TO DISCUSS THE OHIO CHECKBOOK.

Moved by Ms. Holody, seconded by Mr. Matusz.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 59 -2016)

The Mayor and Council discussed whether it would benefit the Village, Council or Residents and how much time is involved in monitoring/entering the information. Mr. Roemer stated that he has been told by other communities who have implemented the online checkbook that it takes no more than 15 minutes per month and they have seen a reduction in public records requests. He stated that over 600 communities have implemented the program. Solicitor Bryan clarified that Mrs. Kramer had provided statistics. As of March 15, 2016 585 out of 3,962 local governments had joined Ohio Checkbook. Solicitor Bryan suggested that Mr. Stiegel contact Macedonia and Independence, who recently implemented the program to discuss. Mrs. Kramer stated that she passed out the Ordinance that was passed in Independence and suggested changing the one that was presented to the Village to the one that Independence used. Council discussed and agreed to use the Independence version.

**MOTION:** TO ALLOW THE SOLICITOR TO AMEND RESOLUTION 5-2016 TO THE VERSION USED BE INDEPENDENCE.

Moved by Ms. Holody, seconded by Mr. Matusz.

Council agreed to wait until the May Council meeting. Motion was withdrawn by Mrs. Kramer.

**ORDINANCE 4-2016**

AN ORDINANCE TO APPROVE THE CODIFIED ORDINANCES OF THE VILLAGE OF PENINSULA, OHIO AND DECLARING AN EMERGENCY.

**MOTION:** TO SUSPEND THE 2<sup>nd</sup> AND 3<sup>RD</sup> READINGS OF ORDINANCE 2-2016.

Moved by Ms. Holody, seconded by Mr. Schneider.

Call for discussion made by Solicitor Bryan: Nothing.

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Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 60 -2016)

**MOTION: TO ADOPT ORDINANCE 4-2016.**

Moved by Ms. Schneider, seconded by Mr. Matusz.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 61 -2016)

*Third Readings:*

**RESOLUTION 3-2016**

A RESOLUTION ADOPTING THE EXPECTED SIGN LIFE METHOD TO BE USED FOR MAINTAINING THE MINIMUM RETROREFLECTIVITY OF STREET SIGNS WITHIN THE VILAGE OF PENINSULA, OHIO.

**MOTION: TO ADOPT ORDINANCE 3-2016.**

Moved by Mr. Matusz, seconded by Mr. Matusz.

Call for discussion made by Solicitor Bryan: Council discussed that the Village is required by the Department of Transportation to adopt a method. It was agreed that the Service Department needs to implement a way of keeping records and follow a replacement schedule.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 62 -2016)

*Tabled:*

**OLD BUSINESS**

Liaisons and Committees: Council discussed bringing back Liaisons vs. creating committees.

**MOTION: TO PUT LIASONS ON.**

Moved by Mr. Schneider, seconded by Mr. Matusz.

Call for discussion made by Solicitor Bryan: Mrs. Kramer asked who created the list of who would be the Liaisons. She also stated that the Mayor had already appointed the Liaisons. Ms. Booth asked if statutorily, Council could put Liaisons in place, since the Solicitor had never heard of a Village having Liaisons. Solicitor Bryan replied that Council can organize itself however it wants to do its job. Mayor Mayer asked to have something in writing stating that the Council is fiscally responsible for the Village.

The Motion was withdrawn by Mr. Schneider.

Ms. Holody asked the Solicitor if the Liaison format was put in place, could Committees still be formed. The Solicitor stated that Council can organize how they want and suggested putting Council rules in an Ordinance, mapping it out.

Route 303 Angle Parking: Mr. Schneider stated that he did not think it was going to work. Ms. Holody, stated that she thought the forward in would work. Mr. Schneider stated that it wouldn't work with an SUV. Ms. Holody stated that she likes it, because it is a traffic calmer. It was agreed to abandon the angle parking.

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Employee Merit Review: Council discussed how and if reviews are being conducted in the Village. Mr. Schneider stated that supervisors always did a review that was put in the employee's file.

Ms. Holody, stated that this started when she suggested giving the Chief a raise. It has changed to include all employees. The Job & Pay Scale Committee members, Mr. Matusz and Mrs. Kramer agreed that the Job & Pay Scale committee work is different from employee merit reviews. Mrs. Kramer stated that there is no policy and procedure in place, and there isn't a committee that looks at policy and procedures. Ms. Holody asked if employees have a review annually. The Mayor stated that the Chief reviews the Officers. The Mayor reviews the Administrative Assistant. Ms. Schneider asked if the Mayor reviewed Mr. Halko. The Mayor stated that he has not, it has been almost a year since his supervisor has been gone. It was agreed that the Mayor will look into the paperwork. Mr. Matusz stated that it has been 2 years since the other employees have received a raise. Mrs. Kramer stated that Council needs to look at the 5-year plan. Mrs. Kramer suggested forming a committee to look at where the money should be spent. Mr. Matusz stated that Council is the committee to look at this.

Police Contract Committee: Ms. Holody stated that she would like to see 3 Council members on the committee. It was agreed that Ms. Booth, Mr. Schneider and Ms. Holody would sit on the committee to work with Mr. Stiegel and Chief Varga to create the new contract. The Solicitor would write the contract. The Mayor stated that the committee will bring it to Council, Council will agree and then the Solicitor will create the contract. The Mayor stated that at this time Boston Township has not asked for a contract, the Village will create one to be prepared if they ask. The Mayor stated that the Village needs to look at what would happen if they do not request a contract.

**MOTION: THAT THE POLICE CONTRACT COMMITTEE MEMBERS ARE: MS. BOOTH, M. SCHNEIDER, AND MS. HOLODY.**

Moved by Ms. Holody, seconded by Mr. Matusz.

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 63 -2016)

Zoning Inspector Position: The Mayor stated that he would like to appoint Kevin Kramer as the new Zoning Inspector. The Mayor asked Mr. Kramer if he would take the position. Mr. Kramer stated that he accepted. The Mayor stated that Mr. Kramer resigned from the BZA. The Mayor thanked Mr. Kramer for his service on the BZA. The Mayor will appoint a new member to BZA at the next meeting.

**NEW BUSINESS**

Ms. Schneider stated that she would like to make an amendment to Ordinance 6-2014, the threshold for Purchase Orders with the Mayor's signature. She stated that she was under the impression that it was for emergencies. Ms. Schneider would like it to go back to \$500. Council discussed. The Solicitor stated that the Mayor will always have emergency authority, with communication to Council. The spending limit is a separate thing; Council can set the amount for daily spending. Council agreed to lower the Mayor's daily spending authority to \$1000.

**MOTION: DIRECTING SOLICITOR BRYAN TO DRAFT AN ORDINANCE SETTING THE MAYOR'S DAILY SPENDING AUTHORITY TO \$1,000.**

Moved by Ms. Schneider, seconded by Mr. Schneider.

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Call for discussion made by Solicitor Bryan: Council discussed. It was agreed that if the Mayor needs to spend over the \$1,000 due to an emergency, the Mayor would send an email to Council with an explanation. The Mayor will get the signature of 4 Council members for anything that exceeds the \$1,000.

Votes were: Mary Booth, nay; Dee Holody, aye; Carol Kramer, nay; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 4 votes.** (Motion 64 -2016)

Mrs. Kramer asked the Solicitor if the Ordinance would not be written with emergency language. The Solicitor stated that his practice is to do it as emergency legislation, that way it goes into effect without waiting 30 days.

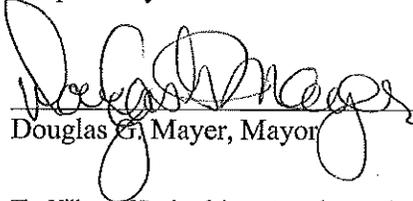
**ADJOURNMENT**

**MOTION: TO ADJOURN, AT 9:38 PM.**

Moved by Mr. Matusz, seconded by Ms. Holody.

(Motion 65 -2016)

Respectfully submitted:

  
\_\_\_\_\_  
Douglas G. Mayer, Mayor                      Date

  
\_\_\_\_\_  
John D. Stiegel, Fiscal Officer              Date

The Village of Peninsula's next regular meeting of Council will be held May 9, 2016 at the Village Hall within Council chambers. Council Chambers are on the second floor of the Village Hall, 1582 Main Street, Peninsula, Ohio, 44264. (Corner of Akron-Peninsula Road and State Route 303)

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