

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: July 11, 2016

Page 1 of 7

CALL TO ORDER: The Village of Peninsula Council convened from 7:04 p.m. to 9:30 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, Elizabeth Workman, Chris Weigand, Kevin Kramer, Lia Lockert, Bob Hrovat

CITIZEN PARTICIPATION:

Nothing.

COUNCIL PARTICIPATION:

Nothing.

MAYOR'S REPORT:

Mayor Mayer announced that Officer John Muller has returned as an Auxiliary Officer.

SOLICITOR'S REPORT:

The Solicitor reviewed the "The Village of Peninsula Purchasing Policy" with Council. Council discussed, agreed and asked the Solicitor to make changes and bring revised copy to the August 8, 2016 Council meeting.

The Solicitor reviewed the "Animal Control Contract" proposed by Summit County. Council agreed to not enter into the contract with Summit County.

The Solicitor reported that he verified the amount that the Boston Township resident inadvertently paid the Village for the period of 2003-2012. The Village previously refunded money collected for the years 2013, 2014 and 2015. The amount collected by CCA for the years 2003-2012 was \$4,763.00. Mr. Stiegel confirmed that CCA had charged the Village a 3% fee in the amount of \$143, therefore the refund would be \$4,620.00. Council discussed whether the Village should issue the refund. Mrs. Kramer stated that the Village fulfilled their obligation and did not want to give a refund. Ms. Booth, Ms. Holody, Ms. Schneider and Mr. Matusz stated that the Village should refund the money.

MOTION: TO REFUND BOSTON TOWNSHIP RESIDENT \$4,763.00 LESS CCA FEE OF \$143.00 REFUND AMOUNT OF \$4,620.00

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

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, nay; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed 5-1.** (Motion 105 -2016)

FISCAL OFFICER'S REPORT:

MOTION: TO APPROVE THE MINUTES OF MAY 9, 2016.

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 106 -2016)

7/18/16

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: July 11, 2016

Page 2 of 7

MOTION: TO APPROVE THE MINUTES OF JUNE 13, 2016.

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

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 107 -2016)

FINANCE – PAM SCHNEIDER:

MOTION: TO ACKNOWLEDGE THE FINANCIAL REPORTS.

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

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 108 -2016)

MOTION: TO PAY THE BILLS.

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

Call for discussion made by Solicitor Bryan: Mr. Schneider asked if the Village would be getting something back from the auditor, Mr. Stiegel replied that the Auditor is not done yet. Mr. Matusz asked about the spill kits. The Mayor stated that 4 have been ordered and received, 2 for the Police Department and 2 for the Service Department. Ms. Holody asked if there would be a second bill from the auditor and how much was budgeted. Mr. Stiegel stated that \$10,500 was budgeted and the contract was for \$9,800.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 109 -2016)

POLICE DEPARTMENT – DAN SCHNEIDER:

Chief Varga explained the Police Department radio upgrade vs. replacement. The Village has until the 2nd quarter 2017 to upgrade radios. The price for new equipment was \$60,000 vs. upgraded equipment at \$16,000.

Mrs. Kramer asked since this was not budgeted for in 2016, where would the money come from? Mr. Stiegel stated that there is 50,000-60,000 in general fund that has not been budgeted. After discussion, Ms. Holody suggested adding it to the 2017 budget and purchasing the equipment in the first quarter. The Chief had concern that the price may go up. The Mayor suggested waiting to see where the budget was in November and purchasing then. After lengthy discussion it was agreed to move to Resolution 16-2016.

RESOLUTION 16-2016

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO PURCHASE UPGRADED RADIOS FOR THE POLICE DEPARTMENT FROM B&C COMMUNICATIONS

MOTION: TO SUSPEND THE THREE READING RULE OF RESOLUTION 16-2016.

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

Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, nay; Dee Holody, nay; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion failed.** (Motion 110 -2016)

The Solicitor stated that there needs to be 5 aye votes to suspend the 3 reading rule. Resolution 16-2016 will move to 2nd reading in August. The Solicitor asked the Chief to verify the price for the August meeting.

Chief Varga stated that a Hearing Officer has not been appointed.

7/18/16

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: July 11, 2016

Page 3 of 7

Ms. Holody gave an update for the Boston Township Police Contract Committee. The contract is basically the same, however the section where the Village is to charge Boston Township for Police coverage during hours outside of the contract has been removed. It is a 3-year contract beginning with January 2017 through December 2019.

MOTION: TO AUTHORIZE THE SOLICITOR TO PROVIDE TO BOSTON TOWNSHIP THE POLICE SERVICES CONTRACT AS RECOMMENDED BY THE COMMITTEE AND COUNCIL, WITH THE CONDITION THAT IT IS ACCEPTED BY BOSTON TOWNSHIP NO LATER THAN OCTOBER 1, 2016.

Moved by Ms. Holody, seconded by Ms. Booth.

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 111 -2016)

Mr. Schneider presented a purchase order for 3 complete desk units and 3 rolling cabinets for the Police Department.

MOTION: TO AUTHORIZE THE PURCHASE OF 3 DESK UNITS AND 3 FILING CABINETS FROM WENDY WALKER INC, IN THE AMOUNT OF \$1,329.00 FOR THE POLICE DEPT .

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

Call for discussion made by Solicitor Bryan: Ms. Holody asked Mr. Stiegel if he had given Council the number budgeted for renovations and how much had been spent to date. Ms. Workman provided copies of the Police Department flooring invoices totaling \$4,225. Mr. Stiegel confirmed that \$8,000 had been budgeted.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 112 -2016)

Ms. Booth asked if the Police Department had looked into purchasing deer whistles as suggested by Wickert Insurance. Chief Varga will get pricing.

ROADS AND PUBLIC WORKS – MIKE MATUSZ:

Service Department

Mr. Matusz presented an estimate from Northcoast Signworks for a decal for the new tractor.

MOTION: TO AUTHORIZE THE PURCHASE OF A DECAL FOR THE TRACTOR IN THE AMOUNT OF \$104.00 FROM NORTHCOAST SIGNWORKS.

Moved by Mr. Matusz, seconded by Mr. Schneider

Call for discussion made by Solicitor Bryan: Mr. Schneider stated that it is the same place the Village has received decals from for Village vehicles and equipment.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 113 -2016)

Mr. Matusz presented figures to purchase parts to repair the boom mower, purchase safety lights for the new tractor and 3 tires for the leaf machine. Council discussed. Mr. Stiegel stated that the Service Department has \$15,000 in the budget for repairs.

MOTION: TO AUTHORIZE THE MAYOR TO SPEND UP TO \$3,000 AT MERRICK HYDRAULIC, UP TO \$1,800 AT AKRON TRACTOR AND UP \$570 AT FALLSWAY EQUIPMENT.

Moved by Ms. Holody, seconded by Mr. Schneider

Call for discussion made by Solicitor Bryan: Nothing.

7/18/16

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: July 11, 2016

Page 4 of 7

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 114 -2016)

MOTION: TO PURCHASE TIRES FOR THE LEAF MACHINE, NOT TO EXCEED \$400 AT LEOPOLD TIRES.

Moved by Mr. Matusz, 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 115 -2016)

Mrs. Kramer asked about other needs of the Service Department. Mr. Matusz stated that he has been working with Mr. Halko to put together a complete list of repairs and what needs to be addressed immediately. Mr. Halko is going out next week to determine which roads will be included in the chip and seal bid.

The Mayor reported that the state is cutting up the bridge on 303, and at no charge they are delivering it to fill the eroding area on Riverview across from Brandywine Golf Course.

Mr. Schneider will check on pricing with Valley Fire on the house markings.

Ms. Workman will add that brush clean-up is the first Monday of the month May through October to the Your Community News report.

Planning Commission

There was no meeting.

Wastewater Advisory Committee – Dee Holody

Ms. Holody reported that the committee has met 3 times. The first meeting was to review the process and understand the state plan. At the 2nd committee members received the 5 proposals the Village received, and the members ranked the proposals. The objective was to short list the 5 to 3. The next step is to invite the 3 selected firms to tour the Village and ask any questions about the preliminary engineering report and what the Village wants to do. Next, within 10-14 days after the tour, each firm will come back for an interview.

Long Range Plan Committee – Carol Kramer

Mrs. Kramer reported that the committee, comprising of Mike Kaplan, Greg Canda, Chris Weigand and herself have had their first meeting. They reviewed the current LRP, that was created back in 2003 and agreed that the data is out of date. They are working to create a plan to update the information. The next meeting will be at the beginning of August. Mrs. Kramer asked the Solicitor how the committee would get money to update the plan. The Solicitor asked Mr. Stiegel if Planning had a budget, and Mr. Stiegel responded that they have a very small budget. The Solicitor recommended that when the committee has a cost estimate they should bring it to Council. Council discussed the need for a budget to help Planning with the work they need to do.

Woodridge Intermediate School Committee – Mayor Mayer

The Mayor reported that the committee has not met yet. It was agreed that the committee needs to meet soon and all members do not need to be present to hold the meeting.

ZONING:

Mr. Kramer reported that there were 3 applications, one for a shed, a pergola and a fence. All 3 were approved.

BOARD OF ZONING APPEALS:

Nothing.

7/18/16

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: July 11, 2016

Page 5 of 7

BUILDING AND GROUNDS – MARY BOOTH:

Ms. Booth presented Council with an estimate from a tree trimming company. The maple would be \$100 to trim, but would kill the tree. It was advised to wait until the Village would like to remove the tree. The cost to remove would be \$400 + \$45 to grind the stump. To remove the buckeye and grind the stump, it would be \$250. Council discussed. Ms. Booth asked Mr. Stiegel if he ran an ad for cleaning. Mr. Stiegel stated he was under the impression Ms. Booth was looking into it. Mr. Stiegel asked if Council wanted to run an ad. Council agreed to run an ad in YCN and WSL. Ms. Holody suggested also running the ad in the Hudson Hub. Mayor Mayer asked Mr. Stiegel to also include in YCN that the Village is still looking for a replacement for BZA. Ms. Booth stated that she spoke to Mr. Halko, who did not mention any other buildings or grounds issues. The Mayor stated that today the furnace/ac was leaking under the new floor in the Police Station. It will be looked at in the morning.

CHAMBER OF COMMERCE & ECONOMIC DEVELOPMENT – DEE HOLODY:

Ms. Holody reported that the Chamber did not meet in July. The next meeting is August 3rd at 5:45 at the Winking Lizard. Chris Weigand added that there are 50-60 members, 5 trustees and that the Chamber meetings are held every month alternating between the library and another site for networking.

POLICIES & PROCEDURES – CAROL KRAMER:

Nothing to report.

FIRE BOARD:

Mr. Schneider reported that the Board is preparing the renewal levy for capital improvements.

CEMETERY BOARD:

Mr. Schneider announced that Randy Bergdorf resigned and the Township is assigning Jerry Ritch to fill his seat.

JEDD BOARD:

Nothing.

LEGISLATION:

First Readings:

RESOLUTION 14-2016

AN EMERGENCY RESOLUTION DECLARING THE MONTH OF AUGUST 2016 KIDS MONTH IN THE COUNTY OF SUMMIT AND THE VILLAGE OF PENINSULA

MOTION: TO SUSPEND THE THREE READING RULE OF RESOLUTION 14-2016.

Moved by Ms. Schneider, seconded by Mr. 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 116 -2016)

MOTION: TO ADOPT RESOLUTION 14-2016.

Moved by Mr. Schneider, 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 117 -2016)

7/18/16

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: July 11, 2016

Page 6 of 7

RESOLUTION 15-2016

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ENTER INTO A FIRST AMENDMENT TO THE AGREEMENT OF COOPERATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM WITH SUMMIT COUNTY

MOTION: TO SUSPEND THE THREE READING RULE OF RESOLUTION 15-2016.

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

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 118 -2016)

MOTION: TO ADOPT RESOLUTION 15-2016.

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

Call for discussion made by Solicitor Bryan: Ms. Holody asked for clarification. The Solicitor stated that the funds come from the Federal Government, you apply through the County, who decides who qualifies for the money. The original agreement was in 1993.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 119 -2016)

Second Readings:

Third Readings:

ORDINANCE 7-2016

AN EMERGENCY ORDINANCE REPEALING SECTION 1301.07 AND ENACTING CHAPTER 1311 OF THE BUILDING CODE RELATING TO UNSAFE AND DANGEROUS BUILDINGS

Lia Lockert presented Council with several concerns she had with Ordinance 7-2016. The Solicitor clarified and explained sections of the Ordinance. After lengthy discussion it was agreed that the Solicitor would add a hardship clause to the Ordinance. Council discussed further and it was decided to table the Ordinance and have the third reading at the August 8th Council meeting.

MOTION: TO TABLE ORDINANCE 7-2016.

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

Call for discussion made by Solicitor Bryan: The Solicitor will amend the Ordinance. It will be tabled until the August meeting and will be on third reading at that time.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 120 -2016)

Tabled:

OLD BUSINESS:

Mrs. Kramer asked the status of the employee handbook. The employee handbook has been turned over to Ms. Workman, who reported that it is almost complete. Ms. Workman had some questions for the Solicitor regarding the handbook and the Village Codifieds. Ms. Workman will discuss with the Solicitor and provide a draft copy to Council for review and comment.

NEW BUSINESS:

Nothing.

7/18/16

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: July 11, 2016

Page 7 of 7

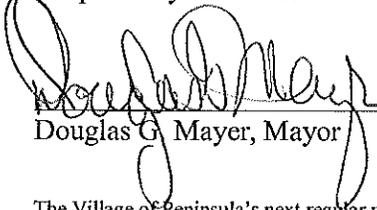
ADJOURNMENT

MOTION: TO ADJOURN, AT 9:30 PM.

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

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 121 -2016)

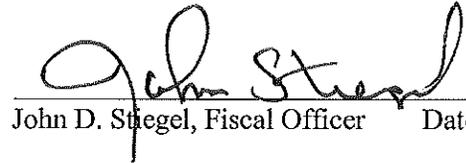
Respectfully submitted:



Douglas G. Mayer, Mayor

8.11.2016

Date



John D. Stegel, Fiscal Officer

8/9/16

Date

The Village of Peninsula's next regular meeting of Council will be held **August 8, 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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7/18/16

