

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: May 9, 2016

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**CALL TO ORDER:** The Village of Peninsula Council convened from 7:01 p.m. to 10:48 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and announced that since the Cemetery Board organizes the Memorial Day Parade every year, the Mayor invited the Boy Scouts to carry the flags for the pledge of allegiance. The Mayor thanked the Cemetery Board for doing the parade. 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, Chanah Spencer, Sandy Mannerio, Joe Mazur, Tina Stephens, Peggy Hanberg, Kevin Kramer, Barbara Gedeon, Bill Clifton, Chris Weigand, Karen Walters, Greg Canda

**CEMETERY AGREEMENT WITH BOSTON TOWNSHIP TRUSTEES**

-Mr. Bergdorf presented the annual report for the Union Cemetery Association of Boston Township. Members of Council and Boston Township Trustees stated that the agreement had been working well and that both parties would like to continue the agreement.

**MOTION:** TO RENEW THE ONE MIL AGREEMENT, ALLOWING BOSTON TOWNSHIP TO OPERATE THE BOSTON CEMETERY AND THE CEDAR GROVE CEMETERY IN PENINSULA.

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; Amy Anderson, aye; Randy Bergdorf, aye; Jerry Rich, absent.

**Motion passed with 8 votes.** (Motion 66 -2016)

-Council Members and Boston Township Trustees discussed the need for a fence to keep vandals out of the Boston Township Cemetery. Mr. Matusz suggested having a fund raiser to raise the money necessary to purchase fencing.

**CITIZEN PARTICIPATION:**

-Peninsula resident, Barb Gedeon presented historical information that she discovered about the home located at 5978 Canal Street. The Mayor stated that he does have contact information for the owner of the property. Ms. Gedeon stated that the legislation being presented tonight pertaining to building code relating to unsafe and dangerous buildings, needs to have added a historical review of the property before tearing it down. The Mayor stated that the Village doesn't have anything on the books regarding tearing down historical buildings.

Ms. Holody asked Ms. Gedeon to describe the historic district. Ms. Gedeon stated that the Historic District was established in 1974. The markers that are currently on the road are accurate. Main Street, part of Locust Street to Mother of Sorrows Church, past Riverview to Ridgeway, down to the Christmas Tree Farm. The expansion would extend south on Locust to include the Crimm house, extend to the Cemetery on Main Street and north on Riverview just past Judy Lahoski's house. Ms. Holody thanked Ms. Gedeon for all she has done and years of hard work.

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-The Mayor asked if the Cemetery is made part of the Historic District, would it open up another avenue for funding? Mr. Schneider stated that Mr. Bergdorf is always looking for funding. The Solicitor stated that there are grants available, but most are given for renovating buildings that create jobs.

-Tina Stephens stated that there was some concern that Council did not hire back the seasonal employee last month, and hoped Council did not wait much longer.

**COUNCIL PARTICIPATION:**

-Ms. Holody gave an update on the Garden Club's request to plant at the Village Hall. At this time, they would like to plant some white hydrangeas. They are looking at different trees, to replace the buckeye tree, which is a dirty tree. They consulted with Mr. Halko, who will cut an area for the hydrangeas and take out the buckeye tree in the fall.

**MAYOR'S REPORT**

-Nothing to report.

**SOLICITOR'S REPORT:**

-The Solicitor gave a full report of items that he has been working on for the Village this month.

1. Prepared 2 new pieces of legislation for tonight
2. Prepared an alternate version of the Ohio Online Checkbook legislation to be presented tonight
3. Attended a meeting with the Ohio EPA with Ms. Holody and Mr. Clifton regarding the Village's wastewater activities
4. Working on providing options requested by the Planning Commission for a rental inspection ordinance and regulating for the short term rentals
5. Work to be done on the Robinson case, working with Mr. Stiegel and Ms. Workman to gather documents
6. Assisted Ms. Schneider, with assistance from Ms. Holody, drafting the Rules and Regulations for the Council Liaisons, as requested at the last meeting
7. And the prosecutions as they have come up

**FISCAL OFFICER'S REPORT:**

-The Fiscal Officer requested a motion to approve the Minutes of April 11, 2016. Mrs. Kramer stated for the public record that Council did not receive the minutes until the day of the meeting. Council discussed and agreed to postpone approving the minutes until next month. Council discussed how long it should take to have the minutes submitted to Council for review prior to the meeting. Ms. Workman agreed to submit the minutes a week after the Council meeting. There was discussion on the Village not reporting in Your Community News for the past 2 issues. Ms. Workman stated that the March Council meeting was rescheduled on March 21<sup>st</sup>, which was past the deadline to submit. Ms. Workman was on vacation the week of April 11<sup>th</sup> and Mr. Stiegel did not submit a summary of the April meeting.

-The Fiscal Officer requested a motion to approve the Financial Reports.

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

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, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 67 -2016)

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-The Fiscal Officer requested a motion to approve the Bills.

**MOTION: TO PAY THE BILLS.**

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

-Call for discussion made by Solicitor Bryan: Mr. Matusz asked if the Village was done paying Walter Drane. The Fiscal Officer replied yes. Ms. Holody informed Council that the Village Codified Ordinances are now linked to the Village website. Mr. Matusz asked if the Police Department's improvements were done. The Mayor stated that the floors were done. Council discussed the money being spent on improvements in the Police Department. Council asked the Mayor to bring a breakdown of what has been spent to date and what is still needed. Mr. Matusz asked if both tractors were back. The Mayor replied yes and clarified that the 2400 bill was for the frontend on the boom tractor

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 68 -2016)

-Mr. Matusz asked the Fiscal Officer if Council could see a breakdown of overtime? Who gets it and why? Mr. Stiegel replied that there is very little overtime paid out. The Mayor stated that there are only 3 fulltime officers, Renz, Varga, Westfall who receive overtime.

-Mr. Matusz stated concern that the Village employees have not received raises in a few years. He had a conversation with Mr. Stiegel regarding giving all employees a 1.5% or 2% raise across the board. Council discussed raises, and it was agreed that Ms. Schneider, Mr. Matusz, Mr. Stiegel and Solicitor Bryan would meet to look at the Pay Ordinance of 2014. After further discussion Council agreed to hold a Special Meeting to look at the data. The Mayor asked that Mr. Halko's salary be looked at, he stated that Mr. Halko is doing the work of the Level II employee, but is being paid the Level I salary. Council agreed that this is a promotion not a raise and should not be included in the meeting.

**POLICE DEPARTMENT**

-The Mayor reported that Chief Varga has not found anyone to fill the position of Hearing Officer. Ms. Holody mentioned that at an earlier meeting, Mr. Anderson stated that he knew 2 people that might be interested in the position. She suggested Chief Varga contact Mr. Anderson. Council discussed how parking ticket protests could be handled.

-Ms. Booth asked what parking tickets had been written to date. Ms. Workman stated that there have been 2 for wrong direction, 1 for blocking driveway and 1 for obstructing traffic lane.

-Ms. Holody reported that the Boston Township Contract Committee had not met this month. Ms. Holody is working to organize a meeting prior to the next Council meeting.

**SERVICE DEPARTMENT**

-The Mayor reported that the tractor is leaking oil. Council discussed taking the tractor in for repair, after a lengthy discussion, Council agreed to look at the quote Mr. Halko acquired and to look into a low interest loan.

-Solicitor Bryan suggested that Council hold a Special Meeting to look at the both the employee raises and the Service Department equipment. Council agreed to hold a Special Meeting on Monday, May 23, 2016 at 6:00 pm to look at Employee Raises and Mowing Equipment for the Service Department.

**MOTION: TO SCHEDULE A SPECIAL MEETING FOR MONDAY, MAY 23, 2016 TO DISCUSS EMPLOYEE RAISES AND MOWING EQUIPMENT FOR THE SERVICE DEPARTMENT.**

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

-Call for discussion made by Solicitor Bryan: Ms. Holody noted the meeting was to discuss raises for all employees.

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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 69 -2016)

-The Mayor announced that he spoke to the Park, who stated that the mowing contract that the Village did not sign last year, has been modified. Council discussed and agreed to look at the legislation at the next Council meeting.

-Mrs. Kramer stated that the Village did not enter into the contract with the County Chip and Seal Program. She asked who would look at the Village roads and decide what is needed. The Mayor stated that he met with Sam Ross of Summit County to get back on the County Program. Mr. Ross will meet with the Village this fall. Council discussed roads that are in bad shape. Mrs. Kramer asked the Mayor to provide a plan at the June meeting. Mr. Matusz expressed the need for Summer help and coordinating roadwork with Boston Township.

-Council discussed the status of a lawsuit regarding a pipe that was improperly installed by the County.

**ZONING**

-Mr. Kramer reported that he denied an application for a fence because the fence requested was higher than allowed.

**BOARD OF ZONING APPEALS**

-Nothing.

**PLANNING COMMISSION**

-Ms. Holody presented the Request for Statement of Qualifications (RFQ) packet to Council. The Planning Commission members voted unanimously to move forward with the RFQ at the last PC meeting.

-Ms. Holody stated that according to Ohio Revised Code, the Village must do a public announcement, some ways this can be done include:

1. The Village website, which is the most common
2. Second most common is to post in local papers such as WSL, YCN, ABJ, PD
3. Third option is to post in professional publications, such as the Buckeye Bulletin. The Buckeye Bulletin is issued quarterly, the next edition is not until August

-In addition Council will send a letter to a select group of engineering firms that meet qualifications.

-Council discussed the options and agreed to publicly post on the Village website, the Request for Statement of Qualifications (RFQ) for professional consulting services for the planning, design and construction of a new wastewater collection and treatment system improvements, as well as email notice to the 8 engineering firms that the Wastewater Advisory Committee has identified as qualified.

**MOTION: TO APPROVE THE PLANNING COMMISSIONS RECOMMENDATION TO SEND OUT PUBLIC NOTIFICATION FOR THE REQUEST FOR STATEMENT OF QUALIFICATIONS (RFQ) FOR ENGINEERS FOR THE WASTEWATER REPORT.**

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

-Call for discussion made by Solicitor Bryan: Council discussed the deadline to submit the RFQ. It was agreed the RFQ must be received by Thursday, June 9, 2016 at 12:00 p.m. Ms. Workman will post the Public Notice on the Village website on May 10, 2016 and send the emails to the engineering firms by Wednesday, May 11, 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 70 -2016)

**RECORDS**

-Nothing.

**FIRE BOARD**

-Mr. Schneider reported that the pancake breakfast was a success and reported that the steak dinner is May 14, 2016.

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**CEMETERY BOARD**

-Nothing.

**JEDD BOARD**

-The Solicitor reported that he and Ms. Schneider discussed that there is a conflict of interest due to her position with Boston Township, therefore Ms. Schneider resigned from the JEDD Board. Mr. Matusz agreed to fill the open seat.

**MOTION: TO APPOINT MR MATUSZ TO FILL THE VACANT SEAT ON THE JEDD BOARD IN PLACE OF PAM SCHNEIDER, WHO RESIGNED**

Moved by Mr. Schneider, 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 71 -2016)

**LEGISLATION**

*First Readings:*

-Council discussed and agreed to revise ORDINANCE 7-2016. The Solicitor will revise and send to Council prior to the June meeting.

**ORDINANCE 6-2016**

AN EMERGENCY ORDINANCE AMENDING SECTION 133.03 OF THE ADMINISTRATIVE CODE RELATING TO THE MAYOR'S SPENDING AUTHORITY

**MOTION: TO SUSPEND THE 2<sup>nd</sup> AND 3<sup>rd</sup> READINGS OF ORDINANCE 6-2016.**

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

-Call for discussion made by Solicitor Bryan: Nothing.

Votes were: Mary Booth, nay; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 72 -2016)

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

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

-Call for discussion made by Solicitor Bryan: After lengthy discussion over the dollar amount the Mayor is authorized to spend, the Solicitor suggested amending the Ordinance to strike section (a) which reads:

(a) All purchase orders for supplies or materials under a total cost of ~~three one~~ thousand dollars (~~\$3,000~~ ~~\$1,000~~) must be signed by the Mayor, whose signature certifies that he has reviewed the request and concurs with the need for the purchase prior to the transaction. All purchase orders in excess of ~~three one~~ thousand dollars (~~\$3,000~~ ~~\$1,000~~) but less than twenty-four thousand nine hundred ninety-nine dollars (\$24,999) must also contain the signature of four Council members

-Council agreed to strike section (a).

**MOTION: TO AMEND ORDINANCE 6-2016, TO REMOVE THE ENTIRE SUBSECTION A OF 133.03, WHAT WOULD REMAIN IS THE EMERGENCY SPENDING AUTHORITY. SUBSECTION B WOULD BE REMOVED, AND EDITED TO A SINGLE PARAGRAPH.**

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

-Call for discussion made by Solicitor Bryan: Nothing.

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 73 -2016)

*Second Readings:*

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**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 2016

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

Moved by Ms. Kramer, 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 74 -2016)

**MOTION: TO ADOPT RESOLUTION 7-2016.**

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

-Call for discussion made by Solicitor Bryan: Council discussed the number of hours the seasonal employee would work weekly, part-time vs. seasonal, whether there is a need for a second person and scheduled hours vs. on call.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, nay; Pamela Schneider, nay. **Motion passed with 4 votes.** (Motion 75 -2016)

*Third Readings:*

**RESOLUTION 5-2016**

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

**MOTION: TO ACCEPT THE AMENDED VERSION OF RESOLUTION 5-2016.**

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

-Call for discussion made by Solicitor Bryan: The Solicitor clarified that the new version is more suitable for a Village, the original was written for a school district.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 76 -2016)

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

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

-Call for discussion made by Solicitor Bryan: The Fiscal Officer stated that he has not looked into what the program involves, but will do so and report back next month. Council discussed how often the information should be updated, and the appropriate time to update. Mr. Stiegel will look into what the program involves and report in June.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 77 -2016)

*Tabled:*

**OLD BUSINESS**

-Angle Parking: Ms. Holody presented the information Mr. Anderson compiled for Council. According to the information Main Street is wide enough to meet the requirements for angle parking. It would add 8 parking spaces. Ms. Holody stated that angle parking is also used as traffic calming. Council expressed safety concerns. It was agreed that Ms. Holody would ask Charles Uray, the Village Engineer to look over the information.

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-Liaisons/Committees: Ms. Schneider stated at the last meeting it was requested that some guidelines be established for liaisons. Ms. Schneider presented the document entitled "Village of Peninsula Council Rules and Guidelines for the Establishment, Appointment, and Responsibilities of Council Liaisons". The Solicitor stated that he shared the document with the Mayor prior to the meeting and the Mayor questioned why "supervision" was used in C&D on page two, the Mayor had concern that it would intrude on his responsibility and role, and the Solicitor agreed with him. The Solicitor will strike "supervision" from C&D on page 2. Mrs. Kramer stated that she thought the Mayor was the person who appointed Liaisons. The Mayor stated that it had been the Mayor in the past. Mrs. Kramer stated that she thinks it should be the Mayor who has the responsibility to appoint the Liaisons. The Solicitor stated that he spoke with the Mayor and recommended that it be done by the Council President or Council as a whole, because they are the Council Liaisons and Council is setting them up to help Council do their own work more efficiently. The Mayor should be out of the process. Ms. Booth stated that it is something Council is creating and should start fresh, Council does not need to follow what was done historically. The Solicitor stated that as a rule Council should establish how they would like to conduct business. Mrs. Kramer stated that she would like to go on record that she thinks it should be the Mayor.

**MOTION: TO AMEND THE VILLAGE OF PENINSULA COUNCIL RULES AND GUIDELINES FOR THE ESTABLISHMENT, APPOINTMENT, AND RESPONSIBILITIES OF COUNCIL LIAISONS, BY STRIKING THE WORD "SUPERVISION" FROM PAGE 2 SECTION C & D AND REMOVE THE WORD "AND" AFTER RENOVATION IN SECTION D.**

Moved by Mr. 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 78 -2016)

**MOTION: TO AMEND SECTION 3 TO READ THE MAYOR APPOINTS THE LIASONS.**

Moved by Mrs. Kramer. There was no second. **Motion failed.**

**MOTION: TO ADOPT THE VILLAGE OF PENINSULA COUNCIL RULES AND GUIDELINES FOR THE ESTABLISHMENT, APPOINTMENT, AND RESPONSIBILITIES OF COUNCIL LIAISONS, AS AMENDED.**

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

-Call for discussion made by Solicitor Bryan: The Mayor asked if everyone had seen the document before tonight, Mrs. Kramer stated that she had not.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, nay; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 79 -2016)

-Mr. Schneider appointed the following Liaisons:

1. Finance: Pam Schneider
2. Police: Dan Schneider
3. Roads and Public Works: Mike Matusz
4. Buildings and Grounds: Mary Booth
5. Chamber of Commerce & Economic Development: Dee Holody
6. Policies & Procedures: Carol Kramer

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The Mayor commented on an incident that occurred at the Woodridge Schools between his wife and Mr. Schneider.

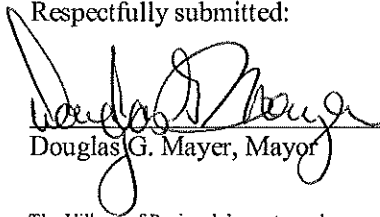
**ADJOURNMENT**

**MOTION:** TO ADJOURN, AT 10:48 PM.

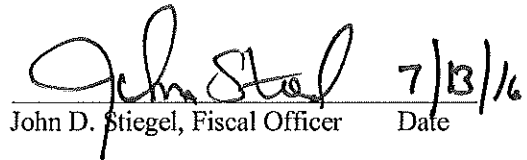
Moved by Ms. Holody, seconded by Ms. Schneider.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 80 -2016)

Respectfully submitted:

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

7-18-2016  
\_\_\_\_\_  
Date

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

7/13/16  
\_\_\_\_\_  
Date

The Village of Peninsula's next regular meeting of Council will be held June 13, 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)

cw

5/17/16