

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 9, 2015

Page 1 of 7

**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 10:00 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:**

Michael Matusz	Present	Brian Schall	Present
Carol Kramer	Present	Pamela Schneider	Present
Dee Holody	Present	Dan Schneider	Present
Douglas Mayer, Mayor	Present		

**OTHERS PRESENT**

John Stiegel, Connie Hesske, Elizabeth Workman, Kevin Kramer, Greg Canda, Richard Slocum, Mark Anson

**CITIZEN PARTICIPATION:**

Nothing.

**COUNCIL PARTICIPATION:**

Nothing.

**MAYOR'S REPORT:**

Mayor Mayer reported that he received a request from the Peninsula Garden Club for permission to use a portion of the Myers Barn property to put in a garden. The Trapp Farm has been growing flowers on their land for the Garden Club to sell annually at Peddler Day. There was discussion as to which area would be best suited for growing as much of the property is gravel and clay. It was decided to offer the area in front of the building with the understanding that there is no electricity or water on the property. Council agreed that MS Consulting should be asked to look into grants to clean up the building. Mayor Mayer presented the paint colors and flooring proposed for the Police squad room redo.

**MOTION: TO ACCEPT PROPOSED PAINT AND FLOORING FOR THE POLICE SQUAD ROOM.**

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

Call for discussion made by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;

Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 170 -2015)

**SOLICITOR REPORT:**

The Solicitor reported public records requests since the last meeting:

Carol Kramer requested a CD of the 7/13/15 Regular Council Meeting. Jodi Padrutt requested a copy of the transcript of the Planning Commission meeting of 2/24/15 and a copy of the Court Reporter's invoice. ASO requested the last 12 months Council minutes, Solicitor Hesske stated that this request is on hold as there is no indication of who is requesting.

Solicitor Hesske reported on the pending lawsuit of Roger Robinson, it has been moved to Federal Court.

Ms. Holody stated that she is not comfortable with the public record requests being reported to Council. Council and the Solicitor discussed why the Solicitor is reporting monthly.

**MOTION: TO STOP PROCESS OF PUBLIC RECORD REQUESTS BEING REPORTED MONTHLY.**

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

Call for discussion made by Ms. Holody: No response.

11/16/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 9, 2015

Page 2 of 7

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;  
Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 171 -2015)

Council discussed advertising for position of Village Solicitor as Ms. Hesske's contract is due to expire at the end of the year.  
**MOTION: TO INTERVIEW FOR THE POSTION OF VILLAGE SOLICITOR.**

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

Call for discussion made by Ms. Holody: No response.

Votes were: Michael Matusz, nay; Carol Kramer, nay; Dee Holody, aye; Brian Schall, aye;  
Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 4 votes.** (Motion 172 -2015)

It was agreed that the former Solicitor Committee, Mrs. Kramer, Ms. Holody, Ms. Schneider, and Mayor Mayer would meet before the December meeting. Council asked Mr. Stiegel to place an ad in Legal News.

**MOTION: TO ADVERTISE FOR THE POSITION OF VILLAGE SOLICITOR IN THE LEGAL NEWS.**

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

Call for discussion made by Ms. Holody: No response.

Votes were: Michael Matusz, nay; Carol Kramer, nay; Dee Holody, aye; Brian Schall, aye;  
Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 173 -2015)

**FISCAL OFFICER'S REPORT:**

**MOTION: TO APPROVE THE SEPTEMBER 14, 2015 REGULAR MEETING MINUTES IN FINAL FORM.**

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

Call for discussion made by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;  
Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 174 -2015)

**MOTION: TO APPROVE THE OCTOBER 13, 2015 JOINT MEETING WITH BOSTON TOWNSHIP MINUTES IN FINAL FORM.**

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

Call for discussion made by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;  
Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 175 -2015)

Council agreed to hold the vote on the October 13, 2015 Regular Council Meeting Minutes until November.

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

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

Call for discussion made by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;  
Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 176 -2015)

**MOTION: TO PAY THE BILLS.**

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

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 9, 2015

Page 3 of 7

Call for discussion made by Ms. Holody: Mr. Schneider asked why there were 4 months of cleaning charges, Mr. Stiegel replied that is how they were received.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;  
Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 177 -2015)

Mr. Stiegel explained that when Council approved to pay cash for the Police vehicles, that some accounts would fall short and money would need to be appropriated back into these accounts.

**POLICE DEPARTMENT:**

Chief Varga reported that the Police Report was emailed to Boston Township as a PDF, as it was agreed at last month's Council Meeting. He reminded everyone that all residents of Peninsula and Boston are invited to participate in the Kids Community Christmas Party, Wednesday, December 2, 2015 from 6-8 pm at the Boston Township Hall, 1775 Main Street. Join Mr. and Mrs. Claus and friends for the annual Christmas Party with food, fun and crafts. This event is sponsored by Peninsula Library, Peninsula Police Department & Valley Fire Department. The Mayor commended the Police Chief and Officers on the professionalism displayed at the scene of the train accident on Sunday, November 1, 2015. Council recognized Chief Varga for the excellent job he is doing managing the Peninsula Police Department and agreed that a raise was in order. Council agreed that the Jobs and Pay Scales Committee should meet to adjust all pay scales and report to Council in December.

**MOTION: FOR THE JOBS & PAY SCALE COMMITTEE TO ADJUST THE VILLAGE PAY SCALES**

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

Call for discussion by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;

Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed unanimously.** (Motion 178-2015)

Council discussed Boston Township's request to freeze the Police Contract. The following points were made:

- The JEDD could easily make up the shortage
- Council could consider it at the next increase if Boston Township is negative
- Boston Township did not present their financial difficulty, but rather pointed to how well the Village was managing the Police Department
- The Village Fiscal Officer did not write the contract, Boston Township did
- The Officer's training is increasing from 4-hour training to 11 hours training per Officer
- The Police Dispatch contract will be raised by 5% next year

**MOTION: TO DENY THE POLICE CONTRACT FREEZE**

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

Call for discussion by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, nay;  
Pamela Schneider, nay; Daniel Schneider, nay.

**Tied vote of 3 for 3 against, the Mayor was unable to vote due to conflict of interest.**(Motion 179 -2015)

**SERVICE DEPARTMENT**

Council discussed the applications received for the Seasonal Position in the Service Department. The Mayor asked for a motion to hire Dave Morehouse.

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 9, 2015

Page 4 of 7

**MOTION: TO HIRE DAVE MOREHOUSE TO FILL THE POSITION OF SEASONAL EMPLOYEE IN THE SERVICE DEPARTMENT.**

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

Call for discussion by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, abstain.

Pamela Schneider, aye; Daniel Schneider, abstain. Motion passed with 4 votes. (Motion 180 -2015)

The Mayor acknowledged a letter received from Mr. Hanson regarding problems with a drain at the end of his driveway. A catch basin was placed near his driveway creating a 12 foot drop off. There is another similar situation on Main. Charles Uray is working on a plan to fix the 2 problem areas.

Mr. Schneider announced that the Boston Township Trustees offered to allow one of their employees to work with the Village employee, so that leaves can be picked up. It was proposed that the Village would reimburse Boston Township the wages for the employee. Council discussed and agreed that an hour for hour trade would be a better plan.

**MOTION: TO WRITE A MAN HOUR FOR MAN HOUR TRADE SERVICE AGREEMENT WITH BOSTON TOWNSHIP.**

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

Call for discussion by Ms. Holody: No response.

Votes were: Michael Matusz, aye; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye.

Pamela Schneider, aye; Daniel Schneider, aye. Motion passed unanimously. (Motion 181 -2015)

Mr. Matusz left the meeting at 9:50 p.m.

Mr. Schneider announced that Boston Township has offered to supply road salt to the Village that does not include grit at a price of \$54.97/ton.

## ZONING

The Mayor reported that he has received a variance request for a side yard setback of about a foot and a half.

## BOARD OF ZONING APPEALS.

There will be a hearing at the December 10<sup>th</sup> meeting for the variance request.

## PLANNING COMMISSION

Mayor Mayer reported that Gary Diorio of MS Consultants attended the October 27<sup>th</sup> Planning Meeting. He is drafting an engineering proposal. If approved, Planning will take to Council. MS Consultants will look for grants. MS Consultants reviewed the information the Wastewater Advisory Committee has gathered and found it quite helpful. The EPA requires 2 systems, one that the Village would tie into and one that is located in the Village. Planning Commission is establishing a Sewer District in the Village.

The Wastewater Advisory Committee will be presenting at the next Planning Commission meeting.

## FIRE BOARD

Mr. Schneider announced that the Fire Board has a meeting on Thursday.

## CEMETERY

Mr. Schneider reported that there were no problems over the Halloween weekend.

11/16/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 9, 2015

Page 5 of 7

JEDD

The Mayor, Fiscal Officer, Park and Brian Thunberg of RITA met. The Park has sent information on how to make a Public Records request. They are providing information to Mr. Stiegel on how to maneuver through the Department of Interiors. Mr. Stiegel received a list and will be going through it to see who are in "duty stations" in the Park.

LEGISLATION

**MOTION: TO AMEND THE AGENDA TO INCLUDE RESOLUTION 27-2015.**

Moved by Ms. Schneider, seconded by Ms. Holody

Call for discussion made by Solicitor Hesske: No response.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;

Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 182-2015)

*First Readings:*

**RESOLUTION 25-2015**

A RESOLUTION OF THE VILLAGE OF PENINSULA ("VILLAGE") TO AUTHORIZE THE DISPOSAL OF THE L-3 CAMERA SYSTEM, AND DECLARING AN EMERGENCY.

**MOTION: TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 25-2015.**

Moved by Ms. Schneider, seconded by Ms. Holody

Call for discussion made by Solicitor Hesske: No response.

Votes were: Michael Matusz, absent Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;

Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 183-2015)

**MOTION: TO ADOPT RESOLUTION 25-2015.**

Moved by Ms. Schneider, seconded by Mr. Schall

Call for discussion made by Solicitor Hesske: No response.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;

Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 184-2015)

**RESOLUTION 26-2015**

A RESOLUTION TO AUTHORIZE THE VILLAGE OF PENINSULA ("VILLAGE") THROUGH THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURCHASE OF ROAD SALT AND *DECLARING AN EMERGENCY*

**MOTION: TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 26-2015.**

Moved by Mrs. Kramer, seconded by Ms. Holody

Call for discussion made by Solicitor Hesske: Council discussed whether the Village should buy salt from ODOT or Boston Township. Council agreed that the contract with ODOT would be a good thing to have in place as a backup, since the contract is "as needed".

Votes were: Michael Matusz, absent Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye;

Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 185-2015)

**MOTION: TO ADOPT RESOLUTION 26-2015.**

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

Call for discussion made by Solicitor Hesske: No response.

11/16/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 9, 2015

Page 6 of 7

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye; Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 186-2015)

**RESOLUTION 27-2015**

A RESOLUTION WHEREAS, the Village of Peninsula Fiscal Officer has adopted the budget for the fiscal year beginning January 1, 2015 and ending December 31, 2015, and; WHEREAS, the Village of Peninsula Fiscal Officer has recommended increase of appropriations within the 2015 budget:

<u>Account Number:</u>	<u>Amount:</u>
1000-110-130 Rents & Leases	\$ 2,000.00
1000-110-390 Other Contractual Services	\$ 7,000.00
1000-710-221 Hospitalization	\$ 5,000.00
1000-740-374 Tax Collection Fee	\$ 8,000.00

**MOTION: TO SUSPEND THE 2<sup>nd</sup> AND 3<sup>rd</sup> READINGS OF RESOLUTION 27-2015.**

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

Call for discussion made by Solicitor Hesske: No response.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye; Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 187-2015)

**MOTION: TO ADOPT RESOLUTION 27-2015.**

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

Call for discussion made by Solicitor Hesske: No response.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye; Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 188-2015)

**MOTION: TO MOVE ORDINANCE 7 FROM TABLED BACK ONTO THE AGENDA.**

Moved by Ms. Schneider, seconded by Mr. Schneider

Call for discussion made by Solicitor Hesske: No response.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye; Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 189-2015)

**ORDINANCE 7-2015**

THIS ORDINANCE IS FOR THE PURPOSE TO AMEND ORDINANCE 396-1994 TO CREATE A FEE STRUCTURE AND PROCEDURE FOR THE PERFORMANCE OF ROAD OPENINGS, CLOSURES, AND SPECIAL HAULING IN A VILLAGE RIGHT OF WAY FOR NON-COMMUNITY EVENTS AND *DECLARING AN EMERGENCY.*

**MOTION: TO SUSPEND THE 2<sup>nd</sup> AND 3<sup>rd</sup> READINGS OF ORDINANCE 7-2015.**

Moved by Ms. Schneider, seconded by Mr. Schneider

Call for discussion made by Solicitor Hesske: No response.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye; Pamela Schneider, aye; Daniel Schneider, aye. **Motion passed with 5 votes.** (Motion 190-2015)

**MOTION: TO ADOPT ORDINANCE 7-2015.**

Ms. Schneider, seconded by Mr. Schneider

11/16/2015

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: November 9, 2015

Page 7 of 7

Call for discussion made by Solicitor Hesske: Council noted correction to be made to the Ordinance and agreed that a new application should be drafted to replace the one presented.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye; Pamela Schneider, aye; Daniel Schneider, aye. Motion passed with 5 votes. (Motion 191-2015)

Third Readings:

RESOLUTION 20-2015

A RESOLUTION AUTHORIZING THE MAYOR OF THE VILLAGE OF PENINSULA, OHIO TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA VALLEY NATIONAL PARK FOR SPECIFIC ROADSIDE VEGETATION MAINTENANCE SERVICES, AND *DECLARING AN EMERGENCY*.

MOTION: TO ADOPT RESOLUTION 20-2015.

Moved by Ms. Holody, No second

(Motion 192-2015)

Tabled:

OLD BUSINESS

A parking violation Ordinance will be presented in December.

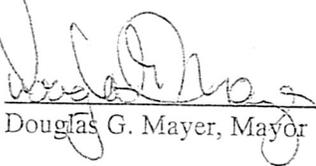
NEW BUSINESS

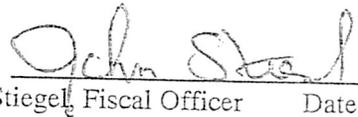
ADJOURNMENT

MOTION: TO ADJOURN AT 10:10 PM.

Votes were: Michael Matusz, absent; Carol Kramer, aye; Dee Holody, aye; Brian Schall, aye; Pamela Schneider, aye; Daniel Schneider, aye. Motion passed with 5 votes. (Motion 193-2015)

Respectfully submitted:

  
\_\_\_\_\_  
Douglas G. Mayer, Mayor                      12-22-15  
Date

  
\_\_\_\_\_  
John D. Stiegel, Fiscal Officer                      12/15/15  
Date

The Village of Peninsula's next regular meeting of Council will be held December 14, 2015 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)

ew

11/16/2015

