

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: October 20, 2014

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CALL TO ORDER: The Village of Peninsula Council convened from 7:00 p.m. to 8:15 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	Excused	Pamela Schneider	Present
Dee Holody	Present	Dan Schneider	Present
Douglas Mayer, Mayor	Present		

OTHERS PRESENT

John Stiegel, Connie Hesske, Rebecca Garner

CITIZEN PARTICIPATION

None

COUNCIL PARTICIPATION

None

MAYOR'S REPORT

Mayor Mayer reported on:

- Halloween festivities on October 31, 2014
 - Trick or treat 6:00 pm. to 7:30 pm.
 - Trunk n treat 6:00 pm. to 7:30 pm
 - Costume Contest at 8:00 pm.
 - Concern over safety for the trunk or treat event:
 - Police Department to provide foot patrol at the school parking lot during the events.
 - Priscilla Allaman will be present the entire time at the school.
 - Only residents will participate in trunk or treat activity.
 - Express that participation is only for residents of the Village.
- Nominations for the Lifetime Achievement Award
 - Council members to bring nominations to November 10th meeting
- AMATS meeting
 - Looking to apply for grants for sidewalk improvements (Mill Street) and crosswalks within the Village.
- Players Barn
 - Application for Brownfields Clean Up funding opportunities.
 - Nomination for the Barn was made to NEFCO.
 - NEFCO members viewed the Barn.
- JEDD Update
 - End of third quarter.
 - Mr. Stiegel to provide a summary for the next meeting.
 - Boston Township not satisfied with CCA services.

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Mr. Stiegel answered Mr. Schall, agreeing that CCA has been very slow in providing answers.

Proposal for RITA to be presented at next meeting.

Verified at request of Solicitor:

Mr. Schneider discussed concerns with CCA services.

Mr. Stiegel responded that a proposal from RITA would be brought to the next Council meeting.

Mr. Schneider explained that Boston Township had incorrectly anticipated appropriations.

Township disbursements are all caught up.

Mr. Mayer explained the confusion with the Railroad employee payments to RITA instead of CCA.

A change would take 6 months.

Solicitor Hesske explained payment process if money is paid to the wrong payment center.

Mr. Stiegel explained that CCA been providing estimates to the Village for months.

- Wooster Waste Treatment Center
Scheduled a tour on October 30th.

- National Park Service

Not providing road assistance funding.

Will provide assistance for: mowing; tree trimming, etc. in 2015

Roger Robinson compiling figures for the Mayor.

Only four communities involved: Peninsula, Boston Township, Valley View, and Boston Heights.

SOLICITOR'S REPORT

No report.

FISCAL OFFICER'S REPORT

Mr. Stiegel asked for Council's consideration of the September 8, 2014 meeting minutes.

MOTION: TO APPROVE THE SEPTEMBER 8, 2014 MEETING MINUTES AS CORRECTED.

Moved by Mr. Schneider, seconded by Ms. Schneider

Votes were: Michael Matusz, abstain; Brian Schall, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion 147-2014)

MOTION: TO ACKNOWLEDGE AND ACCEPT THE SEPTEMBER FINANCIAL REPORTS.

Moved by Mr. Schneider, seconded by Ms. Holody

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

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(Motion 148-2014)

MOTION: TO APPROVE PAYMENT OF SUBMITTED BILLS.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion 149-2014)

Mr. Stiegel brought the issues with Windstream's internet services to Council's attention. Time Warner Cable's proposal was included within the current packet. He noted that the Village would ~~say~~ save about \$25-30.00 per month if switch to Time Warner. Legislation and contract will be submitted to Council at the next meeting. Solicitor Hesske explained that the proposal would be reviewed at the November meeting and the contract would be reviewed at the December meeting.

Ms. Holody expressed concerns with the Voice Over Protocol (VOP), noting the safety forces inability to find persons who call 911. She also said that the Time Warner internet services are reliable.

STREETS AND ROADS

POLICE DEPARTMENT

Mayor Mayer announced that the fees for renewal of the METRO SWAT contract, \$734.00 were paid by a resident who wished to remain anonymous.

The person "lost" within the National Park had an official cause of death announcement as a suicide. The National Park had thanked the Police Department for their assistance. Another thank you and positive note had been received by a female who had struck a deer on October 12th.

Mayor Mayer announced Officer Conkey's resignation effective October 15, 2014. Chief Varga had hired two new auxiliary officers: Jack Justus, Jr. and Kyle Allen effective October 10, 2014.

MOTION: TO ACCEPT OFFICER CONKEY'S RESIGNATION EFFECTIVE OCTOBER 15, 2014.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 150-2014)

ZONING

No report.

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BOARD OF ZONING APPEALS.

No report.

FIRE BOARD

Mr. Schneider reported that assistance was provided to Boston Heights for their renewal of capital expenditures.

CEMETERY

New fencing and gate were put up at the Boston cemetery; a complaint over property encroachment is being investigated. New gate added to the Bronson cemetery.

LEGISLATION:

First Reading:

RESOLUTION 21-2014

RESOLUTION TO AUTHORIZE THE VILLAGE OF PENINSULA (“VILLAGE”) THROUGH THE MAYOR, TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA VALLEY PRESERVATION AND SCENIC RAILROAD ASSOCIATION (“RAILWAY”) AND DECLARING AN EMERGENCY.

Mayor Mayer explained the request of railroad representative Craig Tallman. Mr. Tallman asked for an in-depth review and update to the contract.

Firefighting services are not provided by the Village.
Police services are “leased” by the railroad on as needed basis.
Not for the storage of rail cars.
Purpose is to close streets for the Polar Express.

Solicitor Hesske will provide revisions to the contract that are appropriate with services provided by the Village of Peninsula (i.e., Road Closures). Mayor Mayer will provide the contact information for Mr. Tallman to Solicitor Hesske. Ms. Holody asked for future contracts to include incremental increases.

Mayor Mayer asked for something within zoning/ordinances that would include fees for road closures.

MOTION: TO SUSPEND THE SECOND AND THIRD READINGS OF RESOLUTION 21-2014.

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

Votes were: Brian Schall, nay; Michael Matusz, nay; Pam Schneider, nay; Dee Holody, aye; Dan Schneider, nay. *Motion failed.*

(Motion: 151-2014)

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RESOLUTION 22-2014

RESOLUTION TO AUTHORIZE THE VILLAGE OF PENINSULA, THROUGH THE MAYOR, TO ENTER INTO AN AGREEMENT WITH THE BOARD OF TOWNSHIP TRUSTEES OF BOSTON TOWNSHIP FOR THE PURCHASE OF ROAD SALT AND DECLARING AN EMERGENCY.

MOTION: TO SUSPEND THE SECOND AND THIRD READINGS OF **RESOLUTION 22-2014**.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 152-2014)

MOTION: TO ADOPT **RESOLUTION 22-2014**.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 153-2014)

RESOLUTION 23-2014

RESOLUTION TO INCREASE APPROPRIATIONS OF VARIOUS ACCOUNTS OF THE VILLAGE OF PENINSULA AND WITHIN THE 2014 BUDGET AND DECLARING AN EMERGENCY.

MOTION: TO SUSPEND THE SECOND AND THIRD READINGS OF **RESOLUTION 23-2014**.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 154-2014)

MOTION: TO ADOPT **RESOLUTION 23-2014**.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 155-2014)

Mr. Stiegel explained that the appropriations included: income tax collection fees, FEMA funds, workers compensation insurance rebate, defrayal of costs associated with the fill on the

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road, and license tax funds. The revenue and appropriations are required be certified by the County Budget Commission.

RESOLUTION 24-2014

RESOLUTION TO AUTHORIZE THE VILLAGE OF PENINSULA, THROUGH THE MAYOR, TO ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF INTERIOR, NATIONAL PARK SERVICE, FOR SEASONAL FOOT PATROL IN THE CORE BUSINESS DISTRICT OF THE VILLAGE OF PENINSULA, AND DECLARING AN EMERGENCY.

MOTION: TO SUSPEND THE SECOND AND THIRD READINGS FOR RESOLUTION 24-2014.

Moved by Ms. Holody, seconded by Ms. Schneider

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 156-2014)

MOTION: TO ADOPT RESOLUTION 24-2014.

Moved by Ms. Holody, seconded by Ms. Schneider

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 157-2014)

RESOLUTION 25-2014 will be included on the November agenda.

RESOLUTION 26-2014

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE VILLAGE OF PENINSULA, SUMMIT COUNTY, OHIO, TO ENTER INTO AN AGREEMENT BETWEEN THE SUMMIT COUNTY SHERIFF'S OFFICE AND SUMMIT COUNTY OVI TASK FORCE MEMBER.

MOTION: TO AMEND RESOLUTION 26-2014 TO READ AND INCLUDE "AND DECLARING AN EMERGENCY."

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 158-2014)

MOTION: TO SUSPEND THE SECOND AND THIRD READINGS FOR RESOLUTION 26-2014.

Moved by Ms. Schneider, seconded by Ms. Schneider

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Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 159-2014)

An amendment to adjust the statement “valid through September 30, 2015” will be made to the signed legislation.

MOTION: TO ADOPT RESOLUTION 26-2014.

Moved by Ms. Schneider, seconded by Ms. Schneider

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 160-2014)

RESOLUTION 27-2014

A RESOLUTION GIVING APPROVAL AND AUTHORITY TO THE VILLAGE OF PENINSULA, OHIO POLICE DEPARTMENT THE TRANSFER OF WEAPONS PURSUANT TO PROTOCOL AS SET FORTH BY THE LAWS AND STANDARDS UNDER THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.

Solicitor Hesske noted that the title of the legislation should read “FOR THE TRANSFER OF WEAPONS PURSUANT TO PROTOCOL...” the typographical error, PURSUANT will be corrected on the signed legislation.

MOTION: TO SUSPEND THE SECOND AND THIRD READINGS FOR RESOLUTION 27-2014.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 161-2014)

MOTION: TO ADOPT RESOLUTION 27-2014.

Moved by Ms. Holody, seconded by Mr. Schneider

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye. Motion passed.

(Motion: 162-2014)

RESOLUTION 18-2014

A RESOLUTION TO AUTHORIZE THE VILLAGE OF PENINSULA (“VILLAGE”) THROUGH THE MAYOR AND FISCAL OFFICER TO ENTER INTO AN AGREEMENT

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WITH CARDINAL ASPHALT FOR PAVING AND REPAIR OF VARIOUS ROADWAYS
WITHIN THE VILLAGE, AND DECLARING AN EMERGENCY.

Solicitor Hesske noted that the delay was due to the absence of a written contract.

MOTION: TO SUSPEND THE THIRD READINGS FOR RESOLUTION 18-2014.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye;
Dan Schneider, aye. Motion passed.

(Motion: 163-2014)

MOTION: TO ADOPT RESOLUTION 18-2014.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye;
Dan Schneider, aye. Motion passed.

(Motion: 164-2014)

Third Readings:

None.

Tabled:

RESOLUTION 14-2014

A RESOLUTION AUTHORIZING THE VILLAGE TO ENTER INTO AN
AGREEMENT WITH MARK WISE'S CARPET FOR PURCHASE AND
INSTALLATION OF FLOORING FOR THE POLICE DEPARTMENT
AND DECLARING AN EMERGENCY.

Solicitor Hesske asked for a motion to withdrawal RESOLUTION 14-2014 because the Mayor
does have signing authority for purchases under \$3,000.

MOTION: TO WITHDRAWAL RESOLUTION 14-2014.

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

Votes were: Brian Schall, aye; Michael Matusz, aye; Pam Schneider, aye; Dee Holody, aye;
Dan Schneider, aye. Motion passed.

(Motion: 165-2014)

RESOLUTION 11-2014

A RESOLUTION AUTHORIZING THE VILLAGE TO ENTER INTO AN AGREEMENT
WITH MS CONSULTING INC. FOR THE PERFORMANCE OF ENGINEERING

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SERVICES FOR THE CALENDAR YEAR 2014 AND DECLARING AN EMERGENCY.

Solicitor Hesske noted that the legislation would remain tabled as MS Consulting is scheduled to present at the November meeting.

OLD BUSINESS

None.

NEW BUSINESS

None.

ADJOURNMENT

MOTION: TO ADJOURN AT 8:15 PM.

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

Votes were: Brian Schall, aye; Pam Schneider, aye; Dee Holody, aye; Dan Schneider, aye.

(Motion: 166-2014)

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 October 14, 2014 at 7:00 pm 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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