

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: September 12, 2016

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CALL TO ORDER: The Village of Peninsula Council convened from 7:00 p.m. to 9:25 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	Absent	Pamela Schneider	Present
Michael Matusz	Present		

OTHERS PRESENT:

Brad Bryan, John Stiegel, Elizabeth Workman, Greg Canda

CITIZEN PARTICIPATION:

Nothing.

COUNCIL PARTICIPATION:

Ms. Schneider asked Solicitor Bryan to look into whether there is a conflict of interest with Kevin Kramer holding the paid position of Village Zoning Inspector, as he is married to Council Woman Carol Kramer. The Solicitor will check.

Mr. Matusz thanked the Chief for answering his email regarding the Village cameras. Chief Varga answered additional questions Mr. Matusz raised. If sound is always on in the front lobby, and whether other communities have cameras with sound in their lobbies. Chief Varga explained that the camera in the front lobby is motion activated and does record sound. He stated that surrounding communities also have cameras in their lobbies which record sound.

Mr. Matusz made a motion to remove the camera from Council Chambers. The Solicitor stated that he had a concern that if Council votes to remove the camera there will be a perception that Council is trying to decrease the public's access to what happens in Council meetings. Mr. Matusz stated that the installation of the camera in Council Chambers was not brought to Council. The Chief stated as part of securing the Village Hall he had recommended installing the camera in Council Chambers. Mayor Mayer asked to reword the motion to have the camera turned off at Council meetings. No motion to reword the motion as suggested by the Mayor was made. Ms. Booth asked Mr. Matusz if he had any reason for moving that the camera be removed other than the Mayor not bringing the matter to Council before the camera was installed. Mr. Matusz stated that the installation of the cameras in the Council room should have been brought to Council and that they were unnecessary in the Council room.

MOTION: TO REMOVE THE CAMERA IN COUNCIL CHAMBERS.

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

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, nay; Dee Holody, abstain; Carol Kramer, absent; Michael Matusz, aye;

Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 3 votes.** (Motion 133 -2016)

MAYOR'S REPORT:

The Mayor invited Council Members to come to the employee picnic on Sunday, September 18, 2016 from 1:00 p.m. to 5:00 p.m. at Brandywine Country Club.

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The Mayor announced that Officer Rob Havranek retired on 8.31.16, Officer Jack Justus resigned on 9.12.16, and Kirk Saxon, Jr. joined the Dept. The Mayor announced that the phone has been installed in the Police lobby. The phone will automatically dial dispatch when the receiver is picked up.

SOLICITOR'S REPORT:

The Solicitor reported that the Village produced additional discovery documents that were requested last month for the Robinson case. The case is now in the hands of the attorneys.

The Solicitor drafted the cooperative resolution with the school district as requested by Council at last month's meeting. The Solicitor explained that the agreement states that the Village would agree to cooperate with the school to investigate future uses for the school building. The Solicitor sent the agreement to the school board and is waiting to hear back whether it is acceptable to them. If it is, then it will be on next month's agenda.

The Solicitor is working on the employee handbook and anticipates having a draft copy at the next Council meeting for Council to review.

FISCAL OFFICER'S REPORT:

Ms. Holody noted changes to the minutes of the August 8, 2016 meeting.

MOTION: TO AMEND THE MINUTES OF AUGUST 8, 2016 AS NOTED BY MS. HOLODY.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 134 -2016)

MOTION: TO APPROVE THE MINUTES OF AUGUST 8, 2016, AS AMENDED.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 135 -2016)

Ms. Holody asked the Fiscal Officer for an update on the status of the online service, Ohio Checkbook. The Fiscal Officer stated that he approved it last week and it should be up and running now. 2015 records are available to view.

FINANCE – PAM SCHNEIDER:

MOTION: TO ACKNOWLEDGE THE FINANCIAL REPORTS.

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

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 136 -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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 137 -2016)

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MOTION: TO APPROVE QUARTERLY PAYROLL.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 138 -2016)

POLICE DEPARTMENT – DAN SCHNEIDER:

Mr. Schneider reported that new radios are available for purchase at \$37,275.45 and the could be part of the 2017 budget.

The Solicitor read version III presented for Resolution 16-2016.

RESOLUTION 16-2016

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO PURCHASE RADIOS FOR THE POLICE AND SERVICE DEPARTMENTS FROM MOTOROLA SOLUTIONS, INC. AND CONTRACT WITH B&C COMMUNICATIONS TO PERFORM THE NECESSARY UPGRADES TO THE VILLAGE'S RADIO SYSTEM.

The Solicitor explained that the price for the new radios is \$37,275.45 and would require upgrades to the radio system in the amount of \$1,256. This would be done through the Motorola "in arrears" program. \$1,256 for the vehicle upgrades would need to be paid net 30 days and \$37,275.45 for the radio equipment would be financed through Motorola's financing program. The first payment would not be due for a year after the order was received. There is the option to pay the lease in full prior to the first payment at no penalty to the Village. After discussing, Council agreed to set aside \$10,000 from the 2016 Police Budget and pay the balance of \$27,275.45 out of the 2017 Police Budget.

MOTION: TO AMEND RESOLUTION 16-2016 AS INDICATED BY THE THIRD VERSION.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 139 -2016)

MOTION: TO ADOPT RESOLUTION 16-2016.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 140 -2016)

The Solicitor asked the Fiscal Officer if he would follow-up with Motorola and the Chief. Mr. Stiegel said he would. Mr. Schneider reported that the hearing officer has not been appointed.

ROADS AND PUBLIC WORKS – MIKE MATUSZ:

Service Department

Mr. Matusz reported that Mr. Halko received two estimates to repair the one-ton truck. One from Fallsway at \$1,899.64 and one from Cenweld at \$1,202.00.

MOTION: TO FIX THE ONE TON TRUCK AT CENWELD

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

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Call for discussion made by Solicitor Bryan: Mr. Schneider stated that he looked at it, but there isn't anyone able to fix the one-ton, so the Village must send it out for repair.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 141 -2016)

Mr. Matusz reported the following:

1. Mr. Halko received 3 quotes for line striping from companies recommended by the County. One company was quite a bit lower than the other 2. Council agreed to ask Mr. Halko to confirm that the price is correct and then hold a special meeting to decide.
2. Mr. Matusz asked if Council was looking to purchase a truck. Council agreed that Mr. Matusz would get quotes on a new one-ton F-250.
3. The fuel tank kept in the back of the truck was not working, Officer Westfall was able to fix the wire and put it back together.
4. Mr. Halko and Mr. Morehouse have been busy with washouts at Heritage Farms and the dip on Riverview.
5. The new tractor lights and stickers are on. Mr. Halko will check the status on the flail mower this week.
6. When Mr. Morehouse returns they will work on the culvert at the top of SR 303 and the mowing.
7. Leaf pickup in October and November. Ms. Workman will include in Your Community News (YCN).
8. First Monday in October will be the last brush pickup. Ms. Workman will include in YCN.
9. Mr. Matusz spoke to Mr. Ritch at Boston Township to get a price on salt for winter. Mr. Matusz will also contact ODOT for pricing. Ms. Workman will forward email from 2015 to Mr. Matusz.
10. Larry Bell has completed painting the cement street markers at Center, Church, E. Mill and W. Mill.
11. According to Sam Ross, Summit County will be sending an email early December to invite the Village to attend an informational meeting regarding the County's Chip-n-Seal Program. Ms. Workman will ask Mr. Ross to include Mr. Matusz in the invitation.

Mayor Mayer reported that ODOT will return to the Village to correct the humps in the pavement. He also reported that he spoke to David Reich at ODOT regarding the sandstone sidewalk removed in the Historic District. He was told that because government money funded the project, they were required to bring the sidewalks up to ADA standards. Mr. Rich suggested pressure washing the cement and then staining it to match the sandstone. Council discussed further. The Mayor will follow-up with Mr. Rich to see what will be done. Council discussed the flooding and condition of ditches within the Village. Mayor Mayer asked Council to consider building a garage up by the Player's Barn to park Village equipment at some point in the future.

Planning Commission

Mayor Mayer reported that the topic of medical marijuana was discussed. If it is legalized in the state of Ohio, there will be 3 steps involved, growing, processing and selling. Council discussed. The Solicitor informed Council that the Village has the right to prohibit, regulate and charge licensing fees. The state has not developed the rules yet. It will take about a year to setup up the rules and establish a commission. Some communities have put moratoriums on, the state is suggesting not to do that at this time. Solicitor Bryan stated that one-time licensing fees of up to \$50,000 are being talked about by some communities. He believes that the state licensing fees will be something like \$500,000 per location.

Mayor Mayer stated that Bill Zawiski from the EPA came to the meeting to see if the Village is on the right track. Ms. Booth asked if someone sent him the WWAC Presentation as discussed. It was agreed that Mr. Clifton sent it to him. Ms. Booth also asked the Mayor in the future to let the Planning Commission know ahead of the meeting when he invites someone like Mr. Zawiski to attend a meeting

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Wastewater RFQ Evaluation Committee Advisory Committee – Dee Holody

Ms. Holody stated that at the last Council meeting, Council approved to submit the EPA Financial Assistance application to the WPCLF. 2 project nominations were submitted, one for \$80,000 for the 2016 Preliminary Engineering Report (PER) and another one requesting funding for 2017 to begin the design engineering. This will put the Village projects in for nomination, there is no commitment at this time.

The RFQ Evaluation Committee completed the one hour interviews with the three final engineering firms, MS Consultants, Stantec and Mannik Smith Group on August 23, 2016. Following the interviews, each committee member ranked them. The committee chair, Mr. Clifton compiled the rankings and Stantec Consulting ranked as the best as far as quality of services. The next step is to work on the scope of work and pricing to conduct the PER. If a desirable answer is not met, then the committee can go to the next firm.

MOTION: TO RECOMMEND THAT THE RFQ COMMITTEE AND THE SOLICITOR PROCEED WITH STANTEC CONSULTING SERVICES TO DEFINE THE SCOPE AND COST TO COMPLETE THE PRELIMINARY ENGINEERING REPORT FOR THE DISPOSITION OF WASTEWATER GENERATED IN THE VILLAGE OF PENINSULA.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 142 -2016)

Ms. Holody reported that commitments from the Village Stakeholders to put toward the PER have increased from last month's \$17,500 to \$25,500. The committee hopes to have meetings with the County this month to discuss the County making a matching contribution. Each contributor is providing a letter of confirmation of their contribution as well as a letter to the County asking them to match their contribution. One of the contributors is the NPS at \$10,000. They require a cooperative agreement, which Ms. Holody has received and the Solicitor has reviewed. The Solicitor stated that the document is a template and the information needs to be filled in and then sent to the Park for their approval. Council discussed further.

MOTION: THAT COUNCIL AUTHORIZES SOLICITOR BRYAN TO PRESENT THE COOPERATIVE AGREEMENT TO THE NATIONAL PARK SERVICE ON THIS ISSUE FOR THE PARK'S CONSIDERATION.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 143 -2016)

Long Range Plan Committee – Carol Kramer

Nothing.

Woodridge Intermediate School Committee – Mayor Mayer

The Mayor announced that due to a schedule conflict, he will not be able to attend the meeting scheduled on Tuesday, September 13, 2016. The Mayor asked that committees not schedule meetings on the second and fourth Tuesday or Wednesday of the month, due to monthly meetings he is required to attend at Boston Township.

Ms. Holody reported that at the last meeting the committee discussed touring the school and the importance of collaborating with the school district. The committee would like Solicitor Bryan to look into the process of a TIF agreement with the school district.

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Mayor Mayer reported that he toured the school building with Paul Stoehr, NPS and the NPS building manager. The Mayor invited Mr. Stoehr to report to Council whether the NPS would or would not be interested in the building. Ms. Holody emphasized that the role of committee is to facilitate communication or connections to the school board.

ZONING:

The Mayor reported that the Zoning Inspector received a few applications for home repairs, but nothing major.

BOARD OF ZONING APPEALS:

Nothing.

BUILDING AND GROUNDS – MARY BOOTH:

Mr. Stiegel interviewed 2 companies interested in cleaning the Village Hall, he informed Council that the local cleaning company was not able to do the work during office hours, therefore Ms. Booth recommended going with Ajax Commercial Cleaning.

The Solicitor stated that there is a proposal of work attached, with the rate of \$250/month between the hours of 8-4 Monday-Friday. It is a month to month contract and can be canceled at any time.

RESOLUTION 19-2016

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO ACCEPT THE PROPOSAL OF AJAX COMMERCIAL CLEANING, INC. FOR CLEANING THE VILLAGE HALL

MOTION: TO SUSPEND THE 3 READING RULE OF RESOLUTION 19-2016.

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

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 144 -2016)

MOTION: TO ADOPT RESOLUTION 16-2016

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

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 145 -2016)

Ms. Booth stated that she was unable to locate the volunteer release form, and will recreate the release for Larry Bell to sign if Council would like him to continue. Council agreed that he should continue painting the street markers.

Ms. Booth stated that she called Sam the Gutter Man for a quote, she hopes to present the quote next month.

Ms. Booth stated that the Garden Club has decided on 3 hydrangeas that would grow to 8-10' tall. Council expressed concern over the height of the bushes. Ms. Booth will discuss other options with the Garden Club.

The Mayor reported that he had a conversation with a local resident regarding donating a gas generator that would power the Village Hall in case of emergency. Originally the cost was thought to be around \$20,000. But on further investigation the actual estimated cost would run close to \$50,000. The Mayor stated that it is not clear whether the donor is willing to absorb that significant additional cost at this time. The Chief explained that in order for the Village to be a designated emergency shelter, the generator would be required to power the entire building including the elevator.

POLICIES & PROCEDURES – CAROL KRAMER:

Nothing.

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CHAMBER OF COMMERCE & ECONOMIC DEVELOPMENT – DEE HOLODY:

Nothing.

FIRE BOARD:

Mr. Schneider reported that the NPS built a new deck onto the Fire Station.

CEMETERY BOARD:

Nothing.

JEDD BOARD:

Mr. Schneider asked the Fiscal Officer if he had the JEDD report he requested last month. The Fiscal Officer stated that he would email it to Council.

LEGISLATION:

Third Readings:

Second Readings:

First Readings:

RESOLUTION 17-2016

AN EMERGENCY RESOLUTION AUTHORIZING THE PRESIDENT PRO TEM OF COUNCIL AND FISCAL OFFICER TO EXECUTE THE ATTACHED POLICE PROTECTION SERVICES AGREEMENT WITH BOSTON TOWNSHIP FOR 2017, 2018 AND 2019

The Solicitor informed Council that Boston Township had until October 1, 2016 to accept the agreement. They approved the agreement the Boston Township August 10, 2016 meeting.

MOTION: TO SUSPEND THE 3 READING RULE OF RESOLUTION 17-2016.

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

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 146 -2016)

MOTION: TO ADOPT RESOLUTION 17-2016

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 147 -2016)

RESOLUTION 18-2016

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER TO RENEW THE VILLAGE'S AGREEMENT WITH THE LEGAL DEFENDER'S OFFICE OF SUMMIT COUNTY, OHIO FOR INDIGENT REPRESENTATION IN THE STOW MUNICIPAL COURT

The Solicitor informed Council that generally the Legal Defender's office presents the agreement to the Village in November-December or even January. The price is the same as last year, \$170/case. It is something the Village is required to provide.

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MOTION: TO SUSPEND THE 3 READING RULE OF RESOLUTION 18-2016.

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 148 -2016)

MOTION: TO ADOPT RESOLUTION 18-2016

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, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 149 -2016)

Tabled:

OLD BUSINESS:

Mr. Matusz thanked Boston Township Trustees and Road Department for allowing the Village to use their garage to repair the boom mower. The Mayor reported that there were 2 cracks in the boom and after painting it they found 3 more. There was also a bushing missing and they needed to weld the pipe to fill the crack. A leaking cylinder was also found and repaired.

NEW BUSINESS:

Nothing.

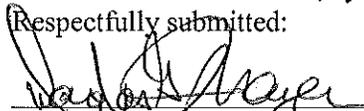
ADJOURNMENT

MOTION: TO ADJOURN, AT 9:20 p.m.

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

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 150 -2016)

Respectfully submitted:



Douglas G. Mayer, Mayor

10-26-2016

Date



John D. Stiegel, Fiscal Officer

9/13/16

Date

The Village of Peninsula's next regular meeting of Council will be held **October 11, 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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