

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: February 10, 2014

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**Call to order:** The Village of Peninsula Council convened from 7:00 p.m. to 9:46 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order. Mr. Mayer initiated the Pledge of Allegiance with the following members and visitors present:

Michael Matusz	Present	Brian Schall	Present
Carol Kramer	Present	Pamela Schneider	Present
Dee Holody	Present	Dan Schneider	Present
Douglas Mayer, Mayor	Present	John Stiegel, Fiscal Officer	Present
Constance Hesske, Solicitor	Present	Joseph Varga, Police Chief	Present
Rebecca Garner, Zoning	Present		

Visitors:

Carol Haramis, Deborah Mazur, Joe Mazur, Douglas Anderson, Wendy Anderson, Tina Stephens, Peggy Hauberg, Cathy Mayer, Roger Robinson, Nicholas Kostandaras, Michael Wheeler

Citizen Participation: Douglas Mayer

None noted.

Mayor's Report: Douglas Mayer

Mr. Mayer introduced Nicholas Kostandaras, Summit County Councilman. Mr. Kostandaras explained the reason for his attendance as related to the wastewater concerns within the Village. Mr. Kostandaras had also announced that Russell Pry, Summit County Executive, is covering the expense of updating the Village of Peninsula's EDG study of 2004.

Mr. Mayer talked about his meeting with Russell Pry and Summit County representatives. Mr. Mayer then discussed the Burgess and Niple estimate received totaling \$16,000. Mr. Mayer noted that Summit County should have a completed study in two months. Mr. Mayer expressed his gratitude to Summit County Executive, Russell Pry. Mr. Mayer then reported about a meeting with representatives of the National Park Service, railroad and conservancy.

Mr. Mayer said that he is proud of the progress made with regard to wastewater concerns, in just four months and he thanked Mr. Kostandaras for his attendance. Mr. Wheeler spoke briefly about the sewer and water dilemma that Richfield had and of funding opportunities.

Carol Haramis asked Mr. Mayer if he had spoken with the representative from the Farm Bureau. Mr. Mayer responded that he had not.

Mr. Mayer said that the JEDD agreement would remain on the table.

Mr. Mayer addressed the Council President vote from the January meeting. Attorney Hesske said that the nomination made in January had included an intervention not allowing individuals to vote for themselves. Attorney Hesske then said that individuals could vote for themselves. She explained the concern over the seconding of a motion for Council President by a family member. She said that

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there should have been an abstention by the family member because of the "appearance of impropriety."

Attorney Hesske explained the process of Point of Order.

Ms. Kramer made a point of order for the January motion to approve Dee Holody for President of Council; stating it was not correct. If Ms. Holody had been able to vote, the result would have been different.

Votes for the point of order were: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, nay; Daniel Schneider, nay.

(Point of Order 4 aye; 2 nay)  
Motion 23-2014

Attorney Hesske explained that Council could revisit the nomination process; or, leave the action on record. Mr. Schall then made a motion to continue with the action as incorrect and accept the appointment of Daniel Schneider as Council President Pro Tempore. Pam Schneider seconded the motion. Ms. Kramer said that she wanted to revisit the motion. Attorney Hesske restated the motion on the floor as keeping the current appointment of Council President. Votes taken as: Michael Matusz, nay; Brian Schall, aye; Carol Kramer, nay; Dee Holody, nay; Pamela Schneider, aye; Daniel Schneider, aye. The vote was a tie, Mr. Mayer voted nay.

(Motion 24-2014 3 aye; 4 nay)

Ms. Kramer then made a motion to nominate Dee Holody as President Pro Tempore of Council. Michael Matusz seconded. Ms. Schneider had then nominated Daniel Schneider. Attorney Hesske stated that Ms. Schneider could not nominate her family member due to the appearance of impropriety. Mr. Schall then nominated Daniel Schneider as President Pro Tempore. Nominations were closed.

Votes for Dee Holody as Council President were as follows: Michael Matusz, aye; Brian Schall, nay; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, nay; Daniel Schneider, nay.

(Motion 25-2014 3 aye; 3 nay)

Votes for Daniel Schneider as Council President were taken as follows: Michael Matusz, nay; Brian Shall, aye; Carol Kramer, nay; Dee Holody, nay; Pamela Schneider, abstained; Daniel Schneider, aye. Votes were determined by the number of yes votes.. Ms. Holody received three (3) "yes" votes; Mr. Schneider received two (2) "yes" votes. Attorney Hesske announced that Ms. Holody is Council President Pro Tempore.

(Motion 26-2014 2 aye; 3 nay)

Mr. Schall then motioned for Daniel Schneider as the Council Vice President. Ms. Holody called for the point of order to correct the election of the Vice President Pro Tempore of Council. Brian Schall

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

(Point of Order 6 aye)  
Motion 27-2014

A motion was then made by Brian Schall to nominate Daniel Schneider as Vice Present Pro Tempore of Council. Nominations were then closed. Votes were: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, abstained; Daniel Schneider, aye.

(Motion 28-2014 5 aye)

Mr. Mayer explained that two openings had existed in January for the Planning Commission. He said that he had appointed Mike Kaplan as the citizen representative to Planning Commission. Michael Matusz was appointed as the Council representative. He noted that the appointment of a Council representative to the Planning Commission must be voted and approved by Council. A motion was made to rescind the appointment of Michael Matusz to the Planning Commission by Carol Kramer, seconded by Brian Schall. Votes were: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, aye; Daniel Schneider, aye. Motion passed.

(Motion 29-2014 6 aye)

A motion was made by Daniel Schneider to appoint Michael Matusz as Council's representative to the Planning Commission. Ms. Kramer seconded the motion. Votes were as follows: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, aye; Daniel Schneider, aye.

(Motion 30-2014 6 aye)

Mr. Mayer introduced Attorney Hesske as the Village Solicitor.

Fiscal Report: John Stiegel, Fiscal Officer

Mr. Stiegel asked Council for their consideration of the regular meeting minutes dated January 13, 2014. Ms. Holody made a motion to accept the meeting minutes of January 13, 2014. Mr. Schneider seconded.

Ms. Schneider requested the following corrections:

Page 2 Motion 1-2014; Ms. Schneider: "says that Dan Schneider abstained when he actually voted yes for himself."

Page 3, Under Mayor's Report, Solicitor contract, "with no changes terms and conditions of the contract", change to: with no changes to the terms and conditions of the contract.

Page 6, Motion 13-2014, Ms. Holody did not abstain, voted yes.

Page 6, Motion 14-2014, Ms. Holody did not abstain, voted yes.

Page 8, Motion 16-2014, Ms. Holody did not abstain, voted yes and the motion had been seconded by

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Daniel Schneider.

Page 8, Motion 17-2014, Ms. Holody did not abstain, voted yes.

Page 8, Motion 18-2014, Ms. Holody did not abstain, voted yes.

Page 9, Motion 19-2014, Ms. Holody did not abstain, voted yes.

Ms. Kramer requested the following corrections:

Page 1, Mayor's Report, change Schneider's voting to Schneiders'.

Page 2, discussion of the Fire Board appointment, change the last sentence to: Mr. Schneider agreed to the re-appointment.

Page 6, after Motion 12-2014, change from Village's Employee Handbook "states" to Village's Employee Handbook "state."

Votes were obtained as follows: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, aye; Daniel Schneider, aye. Minutes approved with changes noted.

(Motion 31-2014)

Daniel Schneider made a motion to receive and acknowledge the January Financial Reports. Pamela Schneider seconded. Votes were as follows: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, aye; Daniel Schneider, aye.

(Motion 32-2014)

Mr. Mayer asked for Council's consideration of a resolution to purchase a police vehicle.

Ms. Holody made a motion for consideration of **Resolution 3-2014**; A Resolution for the Acquisition of a new police vehicle for the Village of Peninsula Police Department to be acquired through Lebanon Ford and *declaring an emergency*. Pamela Schneider seconded the motion.

Members discussed the differences between the SUV requested and previously purchased police vehicles.

Resolution #3-2014: Voted as follows: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, aye; Daniel Schneider, aye.

(Motion 33-2014)

Zoning Report: Rebecca Garner

Ms. Garner reported on a permit for a new construction on Stine Road. She noted that the Board of Zoning Appeals would be meeting to review a variance request for a sign at 1775 Main Street.

Fire Board: Daniel Schneider

Mr. Schneider reported on the next scheduled meeting and the gas leak.

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Cemetery Board: Daniel Schneider

Mr. Schneider reported on the snow plowing of the cemetery. He expressed condolences to the Bergdorf family. Mr. Schneider suggested any donations from Council be given to Rebecca to forward to the Boy Scout Camp. Mr. Schneider would provide Rebecca with the information to forward the donations.

Finance: John Stiegel

Mr. Stiegel presented Council with Ordinance 2-2014; An Ordinance establishing the permanent operating budget for fiscal year 2014 for the Village of Peninsula. Mr. Stiegel explained that passage was not necessary at this meeting. He requested Council to review for consideration at the March meeting.

Solicitor Report: Constance Hesske

Attorney Hesske requested Council's permission to attend the Boston Township meeting.

Old Business:

Ms. Holody asked for clarification of voting due to the relationship of some Council members. Attorney Hesske said that she would draft a policy for Council to consider as an Ordinance.

Council discussed training for new members.

New Business:

Ms. Schneider asked that Council visit a proposal for a full-time Police Officer. She detailed reasons for her request.

Members then discussed the "runners" situation on the streets within the Village.

Mr. Matusz had questioned the plows and salt availability. Mr. Mayer reported that the plows are functional and salt is available.

Mr. Schneider asked Attorney Hesske about department liaisons. Attorney Hesske and members discussed and determined that the liaison structure could be re-visited by Council.

Daniel Schneider made a motion to pay the bills, Mr. Schall seconded. Votes were as follows: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Dee Holody, aye; Pamela Schneider, aye; Daniel Schneider, aye.

(Motion 34-2014 6 aye)

Mr. Schneider made a motion to adjourn regular session of Council for Executive Session for the purpose of personnel discussions at 8:35 pm. Mr. Schall seconded. Votes were: Michael Matusz,

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aye; Brian Schall, aye; Carol Kramer, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye.

(Motion 35-2014)

A motion was made by Daniel Schneider, seconded by Brian Schall, to adjourn the Executive Session of Council at 9:45 pm. Votes were: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye.

No action was taken by Council during Executive Session.

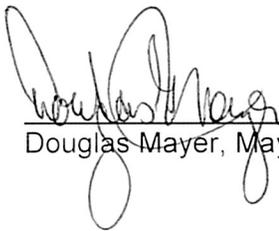
(Motion 36-2014)

A motion was made by Daniel Schneider, seconded by Brian Schall, to adjourn the regular meeting Council at 9:46 pm. Votes were: Michael Matusz, aye; Brian Schall, aye; Carol Kramer, aye; Pamela Schneider, aye; Dee Holody, aye; Daniel Schneider, aye.

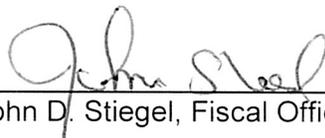
(Motion 37-2014)

The Village of Peninsula's next regular meeting will be held March 10, 2014 at 7:00 pm. on the second floor of the Peninsula Town Hall, located at the corner of State Route 303 and Akron-Peninsula Road.

Respectfully submitted,

  
\_\_\_\_\_  
Douglas Mayer, Mayor

3-13-14  
\_\_\_\_\_  
Dated

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

3/11/14  
\_\_\_\_\_  
Dated

All formal actions of the Village of Peninsula concerning and relating to the adoption of resolutions and/or motions passed at this meeting were adopted in a meeting open to the public, in compliance with the law, including Section 121.22 of the Ohio Revised Code.