

RECORD OF PROCEEDINGS  
Village of Peninsula Council  
REGULAR SESSION

Held: January 11, 2016

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**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 9:04 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:**

Douglas Anderson	Present	Douglas Mayer, Mayor	Present
Diane Holody	Present	Daniel Schneider	Present
Carol Kramer	Present	Pamela Schneider	Present
Michael Matusz	Absent		

**OTHERS PRESENT**

John Stiegel, Connie Hesske, Joseph Varga, Elizabeth Workman, Kevin Kramer, Wendy Anderson, Mark Anson

**CITIZEN PARTICIPATION:**

Nothing.

**COUNCIL PARTICIPATION:**

**MOTION: TO NOMINATE DOUGLAS ANDERSON AS PRO-TEMPORE**

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

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

Votes were: Douglas Anderson, aye; Dee Holody, nay; Carol Kramer, nay; Michael Matusz, absent;  
Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed 3-2.** (Motion 1 -2016)

Ms. Holody congratulated Mr. Anderson.

**MOTION: TO NOMINATE DIANE HOLODY AS VICE PRESIDENT**

Moved by Ms. Kramer, there was no second.

**Motion failed.** (Motion 2 -2016)

**MOTION: TO NOMINATE DANIEL SCHNEIDER AS VICE PRESIDENT**

Moved by Mr. Anderson, there was no second.

**Motion failed.** (Motion 3 -2016)

There was no third nomination for Vice President, Nomination for Council Vice President will be moved to the February Agenda.

**MAYOR'S REPORT:**

The Mayor announced that the Valley Fire Department has been re-rated, and Dave Morehouse, Assistant Fire Chief was present to explain what this means for the Village:

Mr. Morehouse reported that Valley Fire has been re-rated by ISO, Insurance Service Organization, a private organization that grades fire departments across the country. Insurance companies that subscribe to ISO can determine what classification a fire department falls under by using this rating system. The grade is an average of the following components: 10% dispatch, 50% fire department and 40% water supply. By putting new procedures in place and combining services with Boston Heights, the Department has brought the rating down to 5/5Y. The community is a split-class, Peninsula is a 5Y, due to no fire hydrants. Some areas in Boston Township are rated a 5, however, some areas in Boston Township without fire hydrants are rated a 5Y. This will result in lower insurance rates for the community. It will take some time for insurance companies to receive and update their information. Residents should

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contact their insurance companies to inquire about new rates. If the insurance company has not received the information and you would like a copy of the ISO letter, you may request a copy of the letter by calling Charlie Riedel at 330.657.2292. Ms. Workman will also request a copy of the letter, for residents to pick-up at the Village Hall. The Mayor announced that Richfield Township, sent an invitation, inviting Council to their Open House at their new building, Thursday, January 21, 2016 at 6:30 pm, light refreshments will be served.

The Mayor reported the following in 2015:

Received \$49,000 from Stow, since moving the Village court there.

Received \$30,000 from the Boston Township JEDD.

Received close to \$500,000 in Income Taxes, up from the normal \$290,000.

The Mayor thanked Chief Varga and the Police Department for their work, and recognized Mr. Stiegel for his persistent work on the JEDD. The Mayor also thanked current Council members and welcomed the 2 new/old Council members. The Mayor reported that Car One was in a second accident, when an officer hit a marker at the Winking Lizard resulting in \$878.95 worth of damage. As the deductible is \$500, Council agreed that the Village should pay for the repairs out of pocket.

**MOTION:** TO PAY \$878.95 OUT OF POCKET TO REPAIR CAR ONE RATHER THAN TURN THE CLAIM INTO THE INSURANCE COMPANY.

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

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

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 4 -2016)

**SOLICITOR'S REPORT:**

The Solicitor reported that Gerome Jerold, the gentleman who tried to run over Officer Dave Allaman, is still sitting in jail. It should be mid-November before he goes before the Grand Jury. He is representing himself at this time, as he fired his attorney.

Solicitor Hesske distributed copies of the draft Joint Agreement with Boston Township for snow removal. Both the Solicitor of Boston Township and Amy Anderson agreed to put it in writing, but keep it generic. Council discussed the roads that would be covered by the agreement. Solicitor Hesske will revise the draft and email to Council for review.

**FISCAL OFFICER'S REPORT:**

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

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

Call for discussion made by Ms. Holody: Carol Kramer noted a typo on page 2 "be" should be "being". Dee Holody noted that she sent over some grammar errors and that the MS Consultants contract ends on December 13, not December 31, 2015. Ms. Workman will make changes as noted.

Votes were: Douglas Anderson, sustain; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 4 votes**(Motion 5 - 2016)

Solicitor Hesske would like to add an update on Walter Drane. She stated that the zoning book is as close as it is going to get. She has copies of the Ordinances affecting the handbook and will submit everything to W.D.

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

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

Call for discussion made by Mr. Anderson: No response.

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent;  
Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 6 -2016)

**MOTION: TO PAY THE BILLS.**

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

Call for discussion made by Mr. Anderson: No response.

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent;  
Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 7 -2016)

Ms. Holody asked the Fiscal Officer to explain the tax refund from the Ohio Department of Taxation for \$1,800.00.  
Mr. Stiegel stated that he received a letter from ODT requiring the Village to refund First Energy \$1,800 for 2015.

**POLICE DEPARTMENT:**

Ms. Holody commented how helpful it is to get Chief Varga's monthly report.

Chief Varga reported for the first time ever, the National Park Service requested that the Police Department cover the NPS's calls for 4 hours while they were in training. Chief Varga reported that he is finalizing the parking tickets.

The Mayor announced that Chief Varga is now qualified to train all the Officers to administer Naloxone.

Mayor Mayer reported that Mark Wise contacted him and would be installing the new floor this month.

**SERVICE DEPARTMENT**

The Mayor stated that he hoped Mr. Anderson and Mr. Schneider may have recollection of an agreement with ODOT concerning the plowing on 303. Neither ODOT nor the Village have a signed copy of the agreement.

The Solicitor clarified that since this is an Ordinance, that it will need to be posted for 24 hours before being voted on. Solicitor Hesske will prepare legislation for the February meeting.

The Mayor thanked Mr. Halko and Mr. Morehouse for all their hard work getting the equipment "salt" ready.

**ZONING**

Nothing to report.

**BOARD OF ZONING APPEALS.**

Ms. Holody asked if any of the Board members' terms were up. The Mayor replied no.

**PLANNING COMMISSION**

Mayor Mayer announced that Buddy Milhoan's term is up the end of 2016.

The Planning Commission did not meet in December. The members are requesting to move the meeting to the 4<sup>th</sup> Monday at 7:00 p.m. Solicitor Hesske explained that legislation is necessary to make the move.

**MOTION: FOR A ONE TIME CHANGE OF THE PLANNING COMMISSION MEETING FROM THE 4<sup>TH</sup> TUESDAY OF THE MONTH TO THE 4<sup>TH</sup> MONDAY OF THE MONTH AT 7:00 P.M. TO PROCEED LEGISLATION ENFORCING IT.**

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

Call for discussion made by Mr. Anderson: No response.

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent;

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Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 8 -2016)  
Solicitor Hesske will prepare legislation for the February meeting.

**WASTEWATER ADVISORY COMMITTEE**

Ms. Holody reported on the WWAC. The WWAC did not meet in January. The WWAC gave the presentation and recommended the next step at the November 24<sup>th</sup> Planning Commission meeting. The decision of PC was to have that discussion at the January meeting. Ms. Holody suggested that it may be a good meeting for the Solicitor to attend. They will be discussing the next steps according to a timeline, which was part of the presentation. The next WWAC meeting has not been scheduled yet. They will probably wait until after Planning Commission meets in January. Ms. Holody would like to thank the WWAC members for their hard work over the past 6 months. Members are: Mary Booth, Michael Kaplan, Karen Walters, and William Clifton. She also wanted to acknowledge other community members who participated, Chris Weigand and Greg Canda. Ms. Holody stated that everyone put in a lot of time to do the study and put forth a comprehensive report. Mrs. Kramer added that she attended the last meeting and observed how well the committee worked together. She was very impressed at the caliber of the committee and the outstanding presentation they put together.

**RECORDS**

Mrs. Kramer presented an update on the status of the old Village records. She reported that the Records Retention Commission met, discussed, agreed and assigned responsibilities to members. Ms. Frazee was asked to be part of the RRC. Going forward each department will be responsible for their department records. Ms. Workman and Ms. Frazee will attend a future "Lean Boot Camps", being offered at no cost by the University of Akron. They will learn the OHS's recommended record retention file coding. Ms. Workman will check with OHS whether or not employee documents can be signed electronically, as well as the rules regarding electronic copies. Solicitor Hesske addressed a concern that Mr. Anderson had regarding the RRC's role. Council discussed whether a "citizen" should be asked to join the RRC, it was agreed that several members of the Commission are considered "citizens" of the Village.

**FIRE BOARD**

Mr. Schneider reported that the Board is scheduled to meet on Thursday night, January 14, 2016.

**CEMETERY BOARD**

Mayor Mayer announced that Mr. Schneider's seat on the Cemetery Board is open. The Mayor asked Mr. Schneider if he would like to continue to sit on the Cemetery Board. Mr. Schneider agreed to retain his position on the board.

**MOTION: FOR DANIEL SCHNEIDER TO RETAIN HIS POSITION AS THE VILLAGE REPRESENTATIVE ON THE CEMETERY BOARD.**

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

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

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent;  
Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 9 -2016)

**JEDD BOARD**

The Mayor announced that there are 2 positions to fill on the JEDD Board, as Mr. Schall is no longer on Council, his seat is open and Ms. Holody resigned from the Board so her position is open as well. Ms. Schneider and Mr. Anderson volunteered to fill the 2 open seats.

**MOTION: FOR DOUG ANDERSON AND PAM SCHNEIDER TO FILL THE 2 OPEN SEATS ON THE JEDD BOARD.**

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

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

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 10 -2016)

Mrs. Kramer asked Mr. Schneider if the JEDD Board met in December, as it was reported to Council in November that the Board would not meet in December. Mr. Schneider reported that they did meet, but he had not received the meeting minutes yet. He reported that the purpose of the meeting was to look at a bill that was received last month. The Board is not doing anything with it yet, because it has not been passed. Mr. Schneider believes the board will meet in January. Ms. Holody asked if Boston Township posts the JEDD Board meetings and asked the Solicitor what the Sunshine Law was regarding the posting process. Solicitor Hesske stated that the Board is made up of 3 members from each community, and that the Board Secretary is responsible for posting the meeting 24 hours prior, at all legal posting places, for both communities.

## LEGISLATION

*First Readings:*

### **RESOLUTION 1-2016**

A RESOLUTION ADOPTING A NASAL NALOXONE POLICY AND PRODEDURES FOR THE VILLAGE OF PENINSULA POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

**MOTION:** TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 1-2016

Moved by Mr. Schneider, seconded by Mr. Anderson.

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

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 11 -2016)

**MOTION:** TO ADOPT RESOLUTION 1-2016.

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

Call for discussion made by Solicitor Hesske: No response.

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 12 -2016)

### **RESOLUTION 2-2016**

A RESOLUTION AMENDING THE PENINSULA, OHIO POLICE POLICY AND PROCEDURE MANUAL FROM OFF DUTY EMPLOYMENT TO ON AND OFF DUTY EMPLOYMENT AND DECLARING AN EMERGENCY

**MOTION:** TO SUSPEND THE 2<sup>ND</sup> AND 3<sup>RD</sup> READINGS OF RESOLUTION 2-2016.

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

Call for discussion made by Solicitor Hesske: No response.

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 13 -2016)

**MOTION:** TO ADOPT RESOLUTION 2-2016.

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

Call for discussion made by Solicitor Hesske: No response.

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Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 15 -2016)

**ORDINANCE 1-2016**

AN ORDINANCE TO AMEND SECTION 139.08 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF PENINSULA, OHIO REGARDING UNIFORMS AND EQUIPMENT AND DECLARING AN EMERGENCY.

**MOTION:** TO SUSPEND THE 2<sup>nd</sup> AND 3<sup>rd</sup> READINGS OF ORDINANCE 1- 2016.

Moved by Mr. Schneider, seconded by Mr. Anderson.

Call for discussion made by Solicitor Hesske: No response.

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 14 -2016)

**MOTION:** TO ADOPT ORDINANCE 1-2016.

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

Call for discussion made by Solicitor Hesske: No response.

Votes were: Douglas Anderson, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, absent; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 16 -2016)

*Second Readings:*

*Third Readings:*

*Tabled:*

**OLD BUSINESS**

Mr. Anderson asked Solicitor Hesske if she found an Ordinance for the “No Through Truck” signs. Solicitor Hesske did not. Council agreed to leave the signs up until an Ordinance could be voted on in February. The roads involved are Major, Stine, Riverview, and Akron-Peninsula. Mr. Morehouse will check to see if the signs meet ODOT’s standards. Council discussed if the Ordinance should state a weight limit, or address all trucks. Ms. Holody asked what constitutes a truck. Chief Varga stated that 339.02 of the Village Codifieds defines a truck.

Mrs. Kramer asked how the Ordinance would be enforced, and Chief Varga stated that if the Village Police see a truck, they can pull them over and ask where they are going.

Council agreed to post the “No Through Trucks” signs at the following locations:

1. 2-signs at Rt. 303 for Riverview Rd.
2. 2-signs at Rt. 303 for Akron-Peninsula Rd.
3. 2-signs for the other end of Riverview.Rd.
4. 1-sign for the other end of Akron-Peninsula Rd.
5. 1-sign at Rt. 303 for Stine Rd.
6. 1-sign at Rt. 303 for Major Rd.

The Mayor stated that there is a sign at the top of Stine Rd. for “No Through Trucks”, which belongs to Boston Township. Ms. Holody suggested posting the “No Through Trucks” on the existing Village limit signs. Mr. Anderson suggested putting a plan in place to ensure that all Village signs are compliant.

Solicitor Hesske will prepare legislation for the February meeting.

**NEW BUSINESS**

Ms. Holody suggested that she would like to see Council form committees focused on projects. For example, one committee would look at the needs for Streets, Sidewalks, Ditches, Signs, etc. Ms. Holody looked at

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other communities, who also allowed citizens participate in the committees. The group would be aware of work that needs to be done in the future and would be looking for funding, such as grants. This would allow the Village to have a plan in place rather than reacting.

Mr. Schneider would like to add Leader Liaisons to the February Agenda. Ms. Holody suggested putting both Committees/Liaisons on next month's Agenda. Council agreed that there need to be guidelines of what the Committees/Liaisons would be responsible for. Ms. Holody has put together some ideas and will forward the information to Council members. Solicitor Hesske, stated that there needs to be a Resolution committing it to paper, with the scope and limits of what the Committee/Liaisons do.

Ms. Holody asked the Fiscal Officer to compile a list of all Current Council Contracts with expiration dates and bring it to the February Council meeting. Mrs. Kramer stated that it is very important that Council have this information 3 months prior to when a contract is expiring, which would allow for 3 readings. Mr. Stiegel agreed to do so.

Chief Varga announced that he received a request from Officer Jones to represent the Village Police Department at the funeral services for Jethro. Chief Varga granted permission.

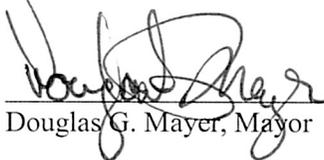
**ADJOURNMENT**

**MOTION:** TO ADJOURN AT 9:18 PM.

(MOTION 17-2016)

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

Respectfully submitted:

  
\_\_\_\_\_  
Douglas G. Mayer, Mayor                      2-11-2016  
Date

  
\_\_\_\_\_  
John D. Stiegel, Fiscal Officer                      2/9/16  
Date

The Village of Peninsula's next regular meeting of Council will be held **February 8, 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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