

RECORD OF PROCEEDINGS
Village of Peninsula Council
REGULAR SESSION

Held: November 14, 2016

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CALL TO ORDER: The Village of Peninsula Council convened from 7:00 p.m. to 9:36 p.m. in the Peninsula Village Hall. Council President Daniel Schneider 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	Present	Pamela Schneider	Present
Michael Matusz	Present		

OTHERS PRESENT:

Brad Bryan, John Stiegel, Elizabeth Workman, Kevin Kramer, Mark Anson, Greg Canda. Ed Andros

CITIZEN PARTICIPATION:

Ed Andros stated that he would like to nominate Larry Bell to be recognized as Village Citizen for 2016. In the past, Council has recognized a Village resident who has demonstrated outstanding citizenship every other year. Mr. Andros brought letters from other Community members and presented the following things that Mr. Bell has done for the Community since moving into the Village:

1. Volunteering and creating the Toy Soldier character for the Polar Express
2. Volunteering his time to work on various repairs at the Peninsula Art Academy
3. Creating the Peninsula Python Parade
4. Bringing the idea to Council to make the Peninsula Python the Village Mascot
5. Painting the cement street markers throughout the Village

Council agreed to bring their nominations to the December Council and will vote at the January 2017 meeting.

COUNCIL PARTICIPATION:

Mr. Schneider asked Council to join Boston Township in Proclaiming December 15 Woodridge High School Cross Country Day in the Village of Peninsula and Boston Township. A presentation will take place on Wednesday, December 14, 2016 at the Boston Township Hall at 6:30 pm.

MOTION: TO PROCLAIM DECEMBER 15 WOODRIDGE CROSS CONTRY DAY IN THE VILLAGE OF PENINSULA, IN COLABORATION WITH BOSTON TOWNSHIP.

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, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 168 -2016)

MAYOR'S REPORT:

Mayor Mayer reported that the Community Halloween Party at Woodridge Intermediate School was a success. He thanked Fisher's for providing the beverages, the Winking Lizard for providing pizzas, and the Village Police Department Officers for all their help.

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SOLICITOR'S REPORT:

The Solicitor stated outside of the day to day business, he has been assisting with finalizing the Scope of Services Agreement with Stantec, the engineering firm proposed to perform the Wastewater System Preliminary Engineering Report. The report has been finalized and will be discussed under Planning Commission Report.

Solicitor Bryan reported that the Cell Tower Application Sub-Committee met and everyone is working toward an amicable resolution. There should be more information reported at the Planning Commission Meeting on November 28, 2016. The Solicitor has been working on an update to the tax ordinance based on changes to state law for the December meeting. Boston Township contacted the Solicitor regarding getting an uncooperative business on the JEDD tax rolls. He will be assisting them in the Village's capacity as the JEDD tax administrator.

FISCAL OFFICER'S REPORT:

MOTION: TO APPROVE THE MINUTES OF OCTOBER 11, 2016 REGULAR MEETING.

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

Call for discussion made by Solicitor Bryan: Ms. Holody noted a change on page 4, should read "Sam the Gutter Man" not "Stan the Gutter Man" Ms. Booth noted a change to the same section, it should not read "that he would have been down to clean the gutters" but "that he would have given us an estimate to clean the gutters"

MOTION: TO AMEND THE MINUTES.

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, abstain; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 169 -2016)

MOTION: TO APPROVE THE MINUTES 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, abstain; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed with 5 votes.** (Motion 170 -2016)

FINANCE – PAM SCHNEIDER:

MOTION: TO ACKNOWLEDGE THE FINANCIAL REPORTS.

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, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 171 -2016)

MOTION: TO PAY THE BILLS.

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

Call for discussion made by Solicitor Bryan. Mr. Matusz asked how many hours were billed by Buckeye Sweeping. The Fiscal Officer stated he would need to get back to him. Mr. Matusz asked the Mayor if he knew. The Mayor asked how much the bill was. Mr. Matusz stated \$375. The Mayor stated he thought that would be 3-4 hours; they have a 2-hour minimum, and they receive drive time. Mr. Matusz stated it was not a bad price. The Mayor agreed. Mr. Matusz stated he heard that some of the striping wasn't done. The Fiscal Officer confirmed they came back and completed all striping. Mr. Matusz asked what the police cars went in for. Mr. Stiegel stated the bill was for oil changes on all 4

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cruisers. Ms. Holody asked if Mr. Halko wore a uniform? The Mayor responded shirts and jacket. Ms. Holody questioned the lab test from the Summit County Medical Examiner. Mr. Stiegel stated it was for a toxicology report on someone arrested. Mr. Matusz asked if that came out of our pocket. Mr. Stiegel stated that the Village pays it. The Solicitor explained that the Village receives fines from of Stow Court on cases, but there isn't a specific add on for the cost of the test. Mr. Matusz asked if the garage bill was on the list. Mr. Stiegel stated it was not. Ms. Booth stated the door was fixed, as well as the garage's furnace. Mr. Stiegel stated he has not received the bills yet.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 172 -2016)

Mr. Stiegel presented the Health Insurance Renewal, which reflects a 5% increase for medical and prescription drug coverage. Ms. Holody explained that the Village has an Ordinance in place that has a provision as the premium increased, the Village would pay 50% and the employee would pay 50% of the increase. Every year in the past, Council has voted to pay 100% of the increase. Mr. Matusz asked how much employees pay now. Ms. Holody stated the participating employees do not pay anything for health insurance now.

MOTION: TO ACCEPT THE SUMMIT COUNTY HEALTH CONNECTION RENEWAL FOR 2017.

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

Call for discussion made by Solicitor Bryan: The Mayor asked the Fiscal Officer if the Village was currently under the same rate as when the Village switched to the Summit County Plan. Mr. Stiegel answered yes. Mr. Matusz questioned why the Village pays 100% of the cost. The Solicitor stated there was a motion on the floor to renew the policy and there would need to be a second motion requiring the employees to absorb a portion of the cost. Council should wait until a second motion is made to discuss that issue.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 173 -2016)

MOTION: THAT THE VILLAGE ABSORB THE TOTAL COST OF THE INCREASE AND NOT PASS ON THE RESPONSIBILITY TO THE VILLAGE EMPLOYEES.

Moved by Ms. Holody, seconded by Mr. Schneider. **Vote was not called.**

Call for discussion made by Solicitor Bryan: Ms. Holody explained why. She stated the old plan was much higher than the County plan. The first increase was so small it was still below what the Village used to pay. She stated she wasn't sure if it has gone up to that level. The Fiscal Officer confirmed that it is still below. Mr. Matusz asked if the premiums presented were per month. Mr. Stiegel replied yes. Mr. Matusz clarified per full time employee. Mr. Stiegel stated there were 4 full time employees. Ms. Holody stated the Village only pays for the employees, and a spouse must show they do not have insurance available to them through their employer. Ms. Booth asked if the Village pays 100% for the spouse. Ms. Holody replied yes; we do right now. She stated the Village pays low salaries and that was part of the decision to pay 100%. She stated Council could look at the issue. Ms. Schneider asked how many employees carry their spouse, and the Fiscal Officer replied one. Ms. Schneider stated that was a \$1,000/month and was a big difference from a single employee. Mr. Matusz stated he brought it up because everyone pays a little bit, and he did not understand why the Village absorbs the whole cost. He stated Council redid the pay scale, and employees are being paid more. Ms. Holody asked if Council had to decide tonight or if they could discuss it in December. Mr. Stiegel answered yes. Ms. Holody clarified the insurance renewal passed, but Council would discuss whether employees would be asked to participate. Ms. Schneider stated that by paying the employees' insurance, the Village can keep employees, since officers can go to other communities and work part-time for double what the Village pays them. Mr.

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Matusz agreed. Ms. Holody suggested looking at the cost of the increase, and according the Ordinance, the employee would absorb 50% of the increase. Ms. Holody asked the Fiscal Officer to work up the numbers and bring them to the December meeting. The Solicitor will clarify how much the employee can be asked to pay. Ms. Booth suggested looking at the spouse coverage as well, stating she did not mind the coverage, but the spouse should pay more for that. Ms. Holody stated at the time, it was a big debate whether to cover the spouse. Ms. Holody stated she hoped the Village was requiring a letter stating the spouse does not have insurance available to them. Ms. Holody asked Mr. Stiegel to bring the following information to December's meeting:

1. Amount of increase, what it costs per month, and what the employee's share would be
2. How many employees fit into each category

POLICE DEPARTMENT – DAN SCHNEIDER:

Mr. Schneider stated a Hearing Officer has not been hired.

Chief Varga reported the Foot Patrol contract is up. Once again, the Police Department, Valley Fire, and Library will be hosting the Children's Christmas Party at the Boston Township Hall on Wednesday, December 7th at 6:00 p.m. Ms. Holody asked when the radios would be in. The Chief replied he had no idea. The Fiscal Officer stated they should be in in two weeks.

ROADS AND PUBLIC WORKS – MIKE MATUSZ:

Service Department

Mr. Matusz reported on the following:

1. Exhaust on the one ton needs fixed; Mr. Halko is getting pricing
2. Need license plates for the pick-up and one ton
3. Waiting on the part for the leaf machine. Mr. Stiegel stated UPS delivered the part today. The Mayor reported Mr. Adams from Boston Township looked at the machine and determined the motor is bad and the whole unit needs to be replaced.
4. Replaced a hose on the cutter head

Council discussed their dissatisfaction with the Service Department. Mr. Matusz suggested creating a work schedule. The Mayor stated the equipment is old and breaks down, which sets work back. He also stated the two employees are part-time, Mr. Morehouse was on a vacation for a week and now he is laid off for 2 weeks as part of his seasonal employment. After a lengthy discussion, it was agreed that Mr. Halko would provide a log detailing the work the Service Department is working on.

MOTION: THAT THE SEASONAL EMPLOYEE WILL WORK 24 HOURS WITH THE SERVICE DEPARTMENT SUPERVISOR, UNLESS IT SNOWS.

Moved by Mr. Schneider, Solicitor Bryan revised the Motion.

MOTION: TO EMPLOY MR. MOREHOUSE FOR THE PERIOD OF NOVEMBER 15, 2016 TO MAY 12, 2017 AS A SEASONAL SERVICE DEPARTMENT EMPLOYEE AND WORK NO MORE THAN 24 HOURS PER WEEK UNLESS THERE IS SNOW.

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

Call for discussion made by Solicitor Bryan: Mr. Matusz stated the hours should be 29 hours. The Mayor stated Mr. Morehouse is averaging 30 hours at this time. Mrs. Kramer asked if it would benefit the Village to keep the hours open in case there was a need for Mr. Morehouse to work over. Ms. Schneider stated she had asked for copies of the Service Department employees timesheets and work logs for the last 6 months, and it averages over 30 hours a week. Mrs. Kramer asked what she had found out. Ms. Schneider stated that Mr. Morehouse averages 38 hours per week. Ms. Holody stated when the job was advertised it was a minimum of 24 hours and could expand to 40 when needed. The

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Mayor stated a job description was created with hours stated. The Solicitor stated the reason for creating a seasonal position was so he could exceed part-time hours without having to pay benefits.

Mrs. Kramer stated what Council is asking for is more management of the department and the Mayor to bring a report to Council on what they are working on and what is or is not getting done. This will provide Council information to make an informed decision on whether to limit the Seasonal position hours, as well as providing information on the condition of the equipment. **Motion was amended without restriction of hours by Mrs. Kramer.**

MOTION: TO AMEND MR. SCHNEIDER'S MOTION TO EMPLOY MR. MOREHOUSE FOR THE PERIOD OF NOVEMBER 15, 2016 TO MAY 12, 2017 AS A SEASONAL SERVICE DEPARTMENT EMPLOYEE WITHOUT NUMBER OF HOURS WORKED RESTRICTION.

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

Call for discussion made by Solicitor Bryan: Ms. Booth clarified that he will not get overtime unless there is an emergency. Mr. Matusz stated it will remain as it has been. The Solicitor confirmed both. The Solicitor stated with the report Mrs. Kramer requested, Council could review the hours next month. Mr. Schneider requested a work schedule a week or two ahead so Council knows what they are working on. The Mayor will request that information from Mr. Halko.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, nay; Pamela Schneider, nay. **Motion passed with 4 votes.** (Motion 174 -2016)

MOTION: TO ADOPT THE AMENDED MOTION.

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

Call for discussion made by Solicitor Bryan: No response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, nay; Pamela Schneider, nay. **Motion passed with 4 votes.** (Motion 175 -2016)

Mr. Matusz asked about the chips being dumped in the ditch line up at Trapp Farm. The Mayor will discuss the matter with Mr. Halko.

Ms. Holody gave an update on the historic sandstone removed from the Village sidewalks. After the meeting in the Village, ODOT's finding was there was no adverse effect because no buildings were damaged. The State Historic Preservation Office (SHPO) disagrees and cited 3 reasons. The SHPO suggested having a formal meeting between Village Council, Village residents, the State Historic Preservation Office, and the Federal Highway Works Administration, which is part of the ODOT group. Ms. Holody has asked someone from Planning to be at the meeting, with Ms. Booth, the Mayor, and herself. The meeting is tentatively scheduled for the end of the week. The objective is to work towards remediation in a positive way and possibly have the sandstone returned. Eighteen blocks of historic sandstone were removed and taken to the landfill. Ms. Holody has also asked Maryanne Moyer, as a resident of Main Street, and Barb Gideon, who did the Historic Preservation, to also attend. Karen Walters will represent Planning and the Peninsula Foundation. Ms. Booth asked the Fiscal Officer to locate the records from the last improvement and the Park contribution to purchase the sandstone. The Mayor stated Mike Kaplan was the Mayor when that improvement was made. Mr. Schneider stated the Mayor did one side and Mike Collins did the other side. There were 2 grants involved.

PLANNING COMMISSION – MIKE MATUSZ:

Nothing.

WW Advisory Committee – Dee Holody

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Ms. Holody reported the Wastewater Advisory Committee held the public information session on Saturday, November 12, 2016 from 1-4 at the library as requested. Ms. Holody thanked Ms. Booth, Ms. Walters, Mr. Canda, and Mr. Clifton for their participation. Ms. Holody stated there was a good turnout, with good questions and a good format.

Long Range Plan Committee – Carol Kramer

Mrs. Kramer reported the Committee has not met. Ms. Booth reported there is a meeting scheduled for November 30, 2016. Mrs. Kramer and Ms. Booth suggested setting meetings on the same day and time each month.

Woodridge Intermediate School Committee – Mayor Mayer

The Mayor stated that the WIS Committee has not met. Council agreed the school committee should also set a consistent schedule. It was agreed it would be good to hold Village meetings on Monday nights at 7 p.m.

Ms. Holody reported 3 of the Planning Commission members, Karen Walters, Mike Kaplan and Joe Mazur, did attend the Planning and Zoning conference in Cleveland. There was a session on cell towers that Mr. Kaplan attended. The Solicitor stated he has been corresponding with Mr. Kaplan and attended the same presentation at the Law Directors Meeting. Mr. Kaplan asked the Solicitor to update Council and Planning on the 28th at the proposed Joint Meeting. Discussion followed.

WASTEWATER RFQ EVALUATION COMMITTEE – DEE HOLODY:

Ms. Holody stated Council received a copy of Stantec's proposal to complete the Preliminary Engineering Report. The Solicitor clarified there was some back and forth and fine tuning, and the Scope of Services is where it should be at this point. Ms. Holody brought another document to the attention of Council (Stantec's Presentation Document) and asked Council to read that document in conjunction with the Scope of Services. She explained the map was also included. Ms. Holody suggested Council review the proposal over the next two weeks and then on Monday, November 28, 2016, invite Stantec to hold a joint Q&A period with Planning and Council. Council agreed to review the proposal over the next two weeks then hold a Special Council meeting at 6:30 p.m. on November 28, 2016 with Planning Commission.

MOTION: TO HOLD A SPECIAL COUNCIL MEETING FOR THE PURPOSE OF DISCUSSING THE APPROVAL OF THE STANTEC PROPOSAL WITH THE PLANNING COMMISSION.

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

Call for discussion made by Solicitor Bryan: No Response.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 176 -2016)

Ms. Holody reported the proposal amount is \$51,684.35. Funding breaks down to:

CVNP Cooperative Agreement \$10,000
Village of Peninsula \$10,000
Summit County Sewer Fund \$25,000
Stakeholders \$14,750

Once the final amount is determined, the stakeholder number could be adjusted, and money could be refunded to the stakeholders on a pro rata basis.

Council discussed how and when the money would be collected from the stakeholders. Council agreed that invoices will be sent to the stakeholders upon approval of the proposal.

Ms. Holody presented a letter she would like to send to the Columbus EPA asking them for a five year hold on their enforcement of major upgrades and new systems. Mrs. Kramer agreed it was a great letter detailing exactly what the Village is doing about the wastewater situation. Council discussed further and a motion was made.

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MOTION: TO AUTHORIZE THE MAYOR, COUNCIL PRESIDENT AND THE VILLAGE ENGINEER TO SIGN AND SEND LETTER TO THE OHIO EPA.

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, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 177 -2016)

ZONING:

Nothing to report.

BOARD OF ZONING APPEALS:

The Mayor reported the BZA has not met for some time. The open position remains vacant.

BUILDING AND GROUNDS – MARY BOOTH:

Ms. Booth asked if Ajax Cleaning was doing a good job; the Fiscal Officer answered yes. Ms. Booth reported the garage door and furnace were repaired at the Service Garage.

CHAMBER OF COMMERCE & ECONOMIC DEVELOPMENT – DEE HOLODY:

Ms. Holody stated she did not have anything to report on the Chamber. Ms. Booth stated she attended the meeting on Nov 2nd and the Candlelight Walk is scheduled for November 30th and the retail businesses are celebrating Christmas in Peninsula with special events on December 2nd, 9th and 16th. The Chamber has set dates for 2017. Those dates will be reported in January.

POLICIES & PROCEDURES – CAROL KRAMER:

Mrs. Kramer reported she received a request from Ms. Holody about working on policies and procedures for employee reviews. The Solicitor clarified at this time the handbook states every employee is reviewed on or around their anniversary. The Solicitor stated Council may want to look at if that is the appropriate time, or if all employees should be reviewed at the same time. Mrs. Kramer asked if Council looked at that and decided reviews should be done at the same time, then Council would need to adjust the handbook. The Solicitor responded, correct. Mrs. Kramer stated most communities have "Rules of Council" and currently the Village has a "Meeting Manual", which has errors in it. She stated if Council was interested, she would be glad to pull information together and work with anyone who would like to work with her to create "Rules of Council". Mrs. Kramer invited Council to call or email her any ideas on policies and procedures that need to be done. Ms. Holody clarified the "Meeting Manual" was something the past Solicitor, Irv Sugerma put together as a guide on how to vote procedurally. The Mayor stated nothing was adopted. Council discussed the issue. Ms. Holody stated she did ask Mrs. Kramer to look into the reviews so that the Village is consistently reviewing all employees. There was discussion on who conducts the reviews of the employees.

FIRE BOARD:

Mr. Schneider reported the Board is looking into pricing and financing for a new ambulance. Boston Heights is paying \$26,000 annually for the service. Valley Fire will own the ambulance. Mr. Schneider stated it was time for reappointment to the Fire Board. A motion was made.

MOTION: TO REAPPOINT DAN SCHNEIDER TO THE VALLEY FIRE DISTRICT FIRE BOARD FOR THE CALENDAR YEAR 2017.

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

Call for discussion made by Solicitor Bryan: The Solicitor asked when the term was up and Mr. Schneider answered the first of the year. The Solicitor clarified that it was for the Calendar year 2017.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 178 -2016)

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CEMETERY BOARD:

Mr. Schneider reported the Board is meeting Thursday. Mr. Schneider stated the Police were down at the cemetery over Halloween weekend and there weren't any issues.

JEDD BOARD:

Mr. Schneider stated there was an audit, and everything was fine, Mr. Stiegel and Mr. Ritch signed it and sent it back to Columbus. The Mayor asked Mr. Stiegel to clarify charges on the JEDD documents presented to Council.

LEGISLATION:

Third Readings:

Second Readings:

First Readings:

RESOLUTION 21-2016

AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LETTER OF AGREEMENT WITH THE CUYAHOGA VALLEY NATIONAL PARK FOR SEASONAL POLICE FOOT PATROL SERVICES IN THE VILLAGE'S CORE BUSINESS DISTRICT

MOTION: TO SUSPEND THE 3 READING RULE OF RESOLUTION 21-2016.

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, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 179 -2016)

MOTION: TO ADOPT RESOLUTION 21-2016

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

Call for discussion made by Solicitor Bryan: Ms. Booth asked if everything was working out; the Chief answered, yes.

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, absent; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 180 -2016)

Tabled:

OLD BUSINESS:

Mrs. Kramer asked the Fiscal Officer for the status on the updated employee handbook. The Solicitor stated that he received the handbook and is done with the revisions that he is suggesting. After a final review, he will forward it to Ms. Workman to make changes and then it will be ready to present to Council for review.

Ms. Schneider asked the Solicitor to report on his findings regarding a possible conflict of interest with Mr. Kramer being employed as the Village Building & Zoning Inspector while being married to a Council member. The Solicitor stated that there is a provision in the employee handbook that prohibits the Village from hiring anyone who is a relative of a Council member. Solicitor Bryan advised Mrs. Kramer that if the handbook provision is in effect, that either Mrs. Kramer cannot serve on Council or Mr. Kramer cannot hold the Building & Zoning Inspector position. The Solicitor went on to explain that there is an exception for seasonal employees, however the Building & Zoning Inspector is not a seasonal position at this time, so that exception would not apply. If Mr. Kramer would like to serve without pay as a volunteer, he would no longer be considered an employee under the definition in the handbook and it would be okay for him to serve. The Solicitor stated that the indication he got was that Mr. Kramer was not interested in working for free. Therefore, Council needs to change the rules & regulations, change the employment to a seasonal position or Mr. Kramer must agree to not be paid to continue in the position. The Solicitor emphasized that Mrs. Kramer is not at fault, she did not vote on the appointment. Mr. Kramer was appointed by the Mayor alone. Solicitor Bryan stated that it is not unusual to have these nepotism provisions in municipalities. He also stated that there isn't

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anything in the Ohio Revised Code to prevent this situation. Council held a brief discussion. Mrs. Kramer stated that she would like to discuss with Mr. Kramer and present their decision at next month's meeting.

NEW BUSINESS:

Ms. Booth asked where the Village was with regards to the Polar Express contract for closing Mill Street.

Ms. Schneider clarified that Road Closure Permits are now issued for road closings. Ms. Holody asked if the CVSR had paid for a permit and the Fiscal Officer replied that it had been paid.

Ms. Holody suggested that Ms. Workman keep a log of mail received. Council agreed to try it for a month and if it works Mrs. Kramer will create a policy.

Nothing.

ADJOURNMENT

MOTION: TO ADJOURN, AT 9:36 p.m.

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

Votes were: Mary Booth, aye; Dee Holody, aye; Carol Kramer, aye; Michael Matusz, aye; Daniel Schneider, aye; Pamela Schneider, aye. **Motion passed unanimously.** (Motion 181 -2016)

Respectfully submitted:



Douglas G. Mayer, Mayor 1-5-2017 Date

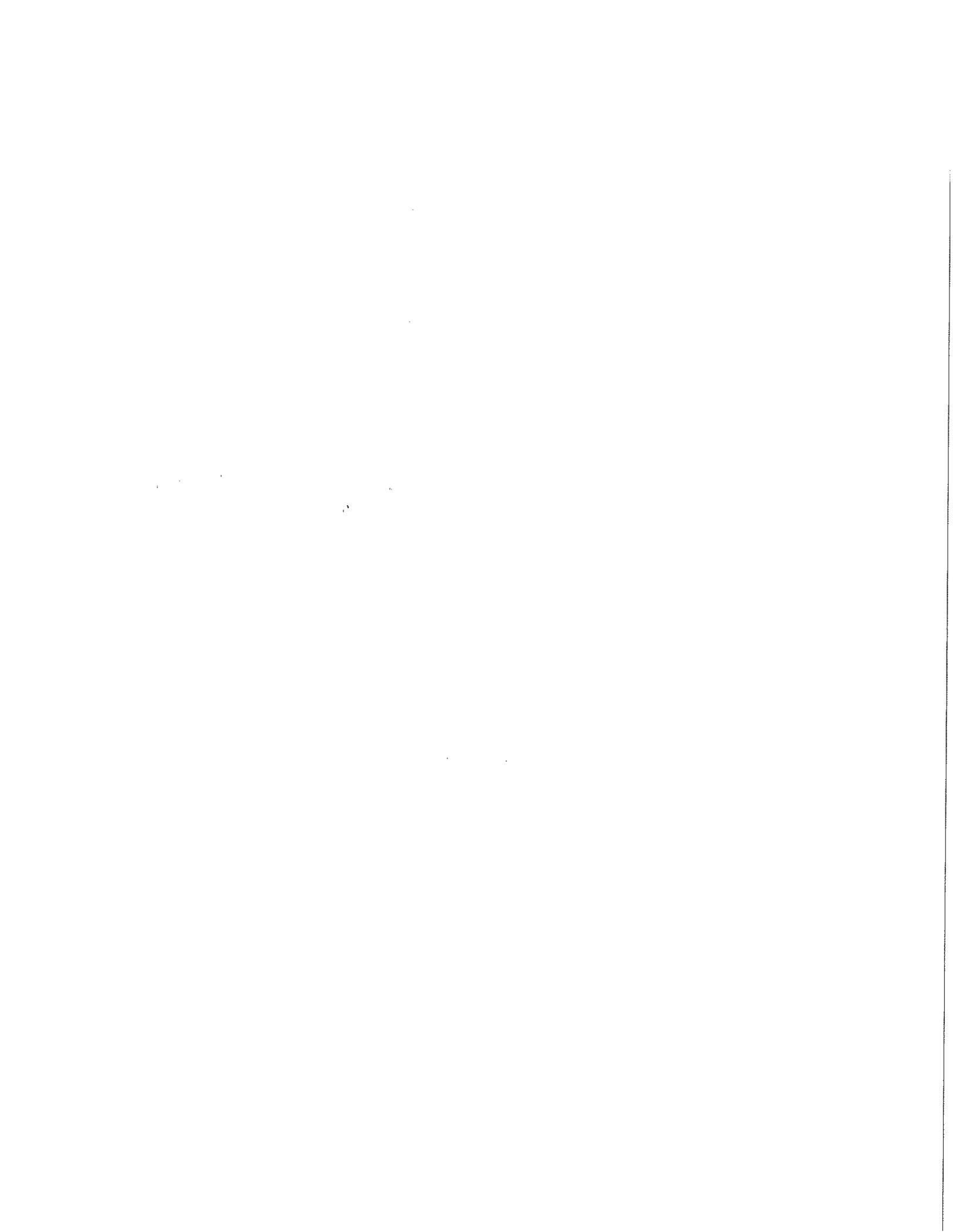


John D. Stiegel, Fiscal Officer 1/3/17 Date

The Village of Peninsula's next regular meeting of Council will be held December 12, 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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Village of Peninsula

November 15, 2016

Tiffani Kavalec, Director, Surface Water Division
Mark Mann, Manager, Compliance and Enforcement Section
Ohio EPA - DSW
Lazarus Government Center
50 W. Town St., Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

RE: Village of Peninsula – Request for NPDES Extensions

Dear Ms. Kavalec and Mr. Mann,

The Village of Peninsula is writing to request your consideration of a temporary hold on enforcement of current NPDES permits within the Village of Peninsula that require major upgrades or new wastewater systems.

The Village of Peninsula leadership is aware of the wastewater challenges that exist within the Village for both commercial and residential installations. To that end, in May of 2015, our Village Planning Commission established the Wastewater Advisory Committee to conduct research on collection and treatment options installed in communities of similar size and geography to Peninsula. The Committee was also asked to research funding options for the Village and to prepare recommendations for next steps. Following nine months of visiting several Ohio installations, and collecting data, the Committee prepared a report of Findings and Recommendations. The Report can be reviewed at <http://villageofpeninsula-oh.gov>.

The Committee recommended that Village Council take the next step and engage with a professional engineering firm to complete a Preliminary Engineering Study and Report evaluating technologies appropriate for the Village, estimating costs, and determining viable funding options. A Request for Qualifications was released by Village Council in July of 2016, and a formal review and selection process took place. Village Council anticipates contracting with the selected firm by December 2016, with the Preliminary Engineering Study and Report being completed within the second quarter of 2017. In connection with performing the Study and preparing the Report, the firm hired by the Village will be in contact with the Ohio EPA NEO District Office.

Although the Village is moving forward with deliberate speed to identify a viable solution to its wastewater issues, we do have some concerns. It has come to our attention that some of our primary commercial establishments with current NPDES permits are under enforcement by the regional EPA office to install new treatment systems or major upgrades. This group of

commercial entities includes: Fishers Café and Pub, General Die Casters, Winking Lizard, Riverview Court Property, and The Novid Family Limited Partnership. Although this appears to be a small list, for the Village of Peninsula, this group represents a major portion of our limited industrial, commercial, and retail community. Our concern is having our key stakeholders facing large investments in upgrading their individual systems, thus potentially depleting support for a Village solution.

In particular, we have concerns for the Peninsula Foundation, the owner of the “Riverview Court Property”. The Peninsula Foundation was formed in 1997 by the late Robert L. Hunker and serves area residents, visitors, and school children by promoting historic preservation, maintaining archives, preserving artifacts, and providing tours of their many historic buildings. The Foundation is perhaps the most important and key contributor to the historic fabric of our small community of less than 600 residents. The Foundation protects and cares for over 20 historic structures within the Village limits, all located within the Village National Historic District. Currently the Foundation has an NPDES permit to install a new wastewater system that would potentially service three of its properties.

We respectfully request that the Ohio EPA provide every current applicant that requires an upgraded or new wastewater system, a five year extension as the Village works through this process of evaluation, design, and construction of a wastewater collection and treatment system.

Village leadership respects and appreciates the regulations and enforcement that the EPA is mandated with in protecting our waters. We too are committed to providing a safe and healthy environment for all of our residents, businesses, and tourists. We would be happy to meet with you to further discuss the Village’s progress to date, our potential timeline for a Village solution, and the vital need for these extensions.

We appreciate your consideration of a five year extension for all permits requiring upgrades or new wastewater systems within the Village limits.

Respectfully submitted,

Douglas Mayer, Mayor of Peninsula

Dan Schneider, Village Council President

Charles Uray Jr., Village Engineer

Cc: Dean Stoll and Bill Zawiski, Division of Surface Water, Northeast District Office, EPA