

**Record of Proceedings  
Village of Peninsula Council  
REGULAR SESSION**

Held: February 12, 2018

**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 10:24 p.m. in the Peninsula Village Hall. Mayor Douglas Mayer called the meeting to order and initiated the roll call, followed by the Pledge of Allegiance. The following members were present.

**COUNCIL MEMBERS:**

Michael Matusz	PRESENT	Douglas Mayer, Mayor	PRESENT
Mary Booth	ABSENT	Chris Weigand	PRESENT
Mike Kaplan	PRESENT	Dan Schneider	PRESENT
Diane Holody	PRESENT		

Also present were Solicitor Brad Bryan, Police Chief Joe Varga, new Police Officer Kayla Elbon, Service Department Supervisor Alan Halko, Zoning Officer Kevin Kramer, and resident Mark Hanson.

**COUNCIL PARTICIPATION:** None.

**VILLAGE PARTICIPATION:**

Mark Hanson addressed Council stating: During the summer season, many tourists visit our Village, and it is causing an issue with traffic. More specifically, tourists use local persons' driveways to turn around in, including his and his neighbors' on N. Locust Street. The Mayor, Council, and Police Chief discussed erecting new signs to direct tourists in the correct direction and prevent turning around in driveways. It was suggested that signs would be best placed at the Northwest part of the street to be most effective for new tourists. Mr. Kaplan suggested we put up two signs saying parking lot this way or no through traffic, local traffic only, no public parking, etc. The goal is to find a solution prior to the start of the tourist season.

Kayla Elbon introduced herself to Council as the newest Village Police Officer. Kayla is a graduate of Stow High School and Kent State University with majors in Criminology and Criminal Justice.

**MAYOR'S REPORT:**

The Mayor stated that he reached out to Joe Paradise, an Engineer with the Summit County Akron Metropolitan Area Transit Service about a possible AMATS grant for Riverview Road. The Mayor stated Peninsula might be eligible for a \$700,000 grant with a 20% match. Peninsula would have to pay for engineering and design of the project before August 29, 2018 to have a chance to receive funding. The Mayor stated Mr. Paradise suggested the Village get design engineering completed sooner rather than later in case money is made available in the next two-year cycle. Mr. Kaplan stated it may be easier to get funding for projects like this one if they are broken up into phases. It was suggested that the Mayor attend future AMATS meetings to better understand the fiscal cycle and projects and get this project on AMATS' radar.

The Mayor stated that due to cracks in the Village Hall building and warped structural boards, a consultant was called in to inspect the building and discuss options. The consultant used a laser on the floor and found an access hole to look underneath the building. He stated he needs a larger hole in the ceiling and floor in order to properly inspect the support beams to make sure they are structurally sound. The downstairs is mirroring what is happening on the second floor. He is going to look at solutions to stabilize the structure and correct the sloping. The Consultant's rate was \$95 per hour, and he worked for around two and a half hours.

**SOLICITOR'S REPORT:**

Mr. Bryan advised everyone that the City of Tallmadge is putting on a free Public Records and Sunshine Law training seminar on March 7, 2018 at 9:00 a.m. that is open to all public officials. He advised that Council members are required to attend one of these sessions at some time during their four-year term.

Mr. Bryan reported a scam that is presently being perpetrated in Summit County. Persons are calling elderly and other persons in the County, stating they are from Summit County and that the persons being called have past due tax balances and a lawsuit has been filed against them. The caller states they can settle the delinquency on the phone to avoid having to go to court. A fictional case number that is similar to a Summit County Common Pleas Court Case number is provided, and the person is then connected to someone who is supposedly an attorney acting on behalf of the County. In fact, no suit has been filed, these people are not attorneys, and they are not acting on behalf of the County. The Summit County Prosecutor's office and the FBI are investigating these matters. Mr. Matusz suggested that an alert be posted in the Community News and possibly the Village Facebook page to warn people of the scam.

Mr. Bryan stated starting January 28, 2018, auto registrations in the County will cost an extra \$5. The extra fee is earmarked to go toward roads and bridge repairs in the County.

Mr. Bryan reported that the suit filed by a prisoner serving a long term jail sentence that was convicted of felony offenses committed in the Village has been dismissed by the Court. The prisoner filed suit against two Village officers and 18 to 20 other people at the County Prosecutor's office, the jail, and other agencies.

**FISCAL OFFICER'S REPORT:**

A MOTION to approve the Minutes of the January 8, 2018 Council Meeting was made by Ms. Holody and seconded by Mr. Schneider. All were in favor of the motion; none opposed. The Minutes were approved.

A MOTION to approve the Minutes of the January 22, 2018 Special Council Meeting was made by Ms. Holody and seconded by Mr. Schneider.

A motion to amend the Minutes to correct the spelling of the title of "Stantec Consulting Design Engineering Kickoff Meeting" was made by Ms. Holody and seconded by Mr. Schneider. All were in favor of the motion; none opposed.

All were in favor of the motion to approve the Minutes except for Mr. Kaplan, who abstained. The Minutes were approved as amended.

Legislation was requested for the March Regular Council Meeting for the employee raises that were discussed. It was determined that the raises should be effective for the start of the pay period closest to the March 12, 2018 Meeting. Mr. Stiegel will advise the Solicitor of that pay period start date. The legislation will be effective or retroactive to that date.

A MOTION to acknowledge receipt of the financial reports was made by Mr. Schneider and seconded by Ms. Holody. All were in favor of the motion; none opposed. The motion was adopted.

A MOTION to pay the bills was made by Ms. Holody and seconded by Mr. Schneider. All were in favor of the motion; none opposed. The motion was adopted.

A MOTION to amend the list of bills for February 2018 to add the Vetter Engineering Inc. invoice was made by Ms. Holody and seconded by Mr. Weigand. Votes were: Mr. Matusz-Yes; Mr. Kaplan-Yes; Ms. Holody-Yes; Mr. Weigand-Yes; Mr. Schneider-yes. The Motion was adopted.

A MOTION to purchase a new copy machine was made by Mr. Kaplan and seconded by Mr. Weigand. All were in favor of the motion; none opposed. The motion was adopted.

#### **POLICE REPORT:**

Chief Varga reported that he discussed a procedure with Richfield Dispatch that would require Dispatch to log in when the Village and Township Service employees are called into work for emergencies, when they arrive, and when they go off duty. Mr. Kaplan asked Mr. Bryan to draft a Village Policy for these circumstances.

Mr. Schneider discussed the proposed Police Uniform Allowance increase. Mr. Kaplan suggested that officers receive their yearly uniform allowance on the anniversary of their first day at work rather than all officers receiving it at the start of the calendar year. It was decided that part-time and auxiliary officers should get a higher allowance when they start but the proposed allowance for subsequent years. Mr. Bryan was asked to prepare legislation on this subject for the next Regular Council Meeting.

Discussion took place regarding a fifth police car being added to the Police Department fleet if the Village does not trade-in a car in connection with this year's purchase of the new cruiser.

#### **ROADS AND PUBLIC WORKS REPORT:**

Mr. Matusz stated that the new trucks and equipment were performing well. He brought up the price for accessories such as built in jumper cables and road and air temperature gages that the Village may want to consider for the trucks. The Mayor suggested that the police cars also have the temperature gages installed because they (the police officers) are the ones that determine whether plowing is necessary.

Mr. Matusz stated that a company, F&J, came out to give a recommendation and quote for security cameras at the Service Department. They stated two cameras with night vision and 24-hour recording would be sufficient. The cameras would be able to be remotely monitored by the Police Department.

A MOTION to approve the F&J security camera quote was made by Mr. Matusz and seconded by Ms. Holody. All were in favor; none opposed. The motion was adopted.

Mr. Halko stated he was requesting the Resolution regarding the County Paving Program be adopted this evening. He stated he was discussing working with the Township on a joint application for money for additional asphalt work on Major Road. The project would receive more points if it is a joint project with the Township. Mr. Kaplan suggested turning Major Road to a one way road so that it does not have to be as wide. It was pointed out that the Village does not own entire road; Boston Township owns other half. Mr. Schneider suggested most people use Major Road to park on, and only one Village house is located on the road. Mr. Kaplan suggested the National Park should be responsible. The Mayor stated the maintenance of that road is the Village's responsibility.

Ms. Holody asked whether ODOT could be asked to tell its drivers to turn the plow straight when crossing the bridge to prevent snow and ice accumulation on the sidewalk. It is dangerous for people to walk on the bridge when it is icy. Mr. Kaplan stated the north side is not a problem because of the sun, but the south side is in the shade. Mr. Kaplan suggested closing the sidewalk on the south side for safety reasons when these conditions exist. The Village would save money on salt and prevent damage to the sealant. Mr. Halko pointed out it is extremely time consuming to clear the sidewalk when there is too much snow and ice. When it is slush, the snow blower won't blow slush.

#### **BOARD OF ZONING APPEALS:**

The Mayor introduced Kevin Royer, who the Mayor wanted to appoint to the BZA. Mr. Royer outlined his interest in the position, time in the Village, and experience. A MOTION to confirm the Mayor's appointment of Kevin Royer to the Board of Zoning Appeals was made by Mr. Kaplan and seconded by Ms. Holody. All were in favor; none opposed. The appointment was confirmed.

The Mayor mentioned there is still one vacant seat on Board of Zoning Appeals. Ads will be placed, and the vacancy will be publicized through word-of-mouth communications.

Mr. Schneider pointed out that a Street Commissioner is still needed. The Mayor stated he would not appoint the candidate suggested by Council. Ms. Holody mentioned that this position needs to be filled.

#### **PLANNING COMMISSION; LONG RANGE PLAN:**

Mr. Weigand stated that at the January 22, 2018 Planning Commission Meeting, it was decided that the Planning Commission would meet on the first Monday of every month to work on the Long Range Plan. The goal was to have an updated draft of the Plan by July 2018. Work on the Zoning Code Updates would be done thereafter. A Request for Statements of Qualifications from planners interested in being retained to assist the Village with the Long Range Plan and recommended Zoning Code updates was issued. Mr. Bryan stated the responses are due by February 22, 2018. The Planning Commission is still discussing paid parking and its preference for meters or parking pay stations. Mr. Weigand also mentioned that the Planning Commission voted to recommend that the Village direct Stantec to design the wastewater treatment system as a MBR system and that the Village owned property next to the Service Department was the preferred location for the treatment plant out of the sites identified in the Preliminary Engineering Report.

**WASTEWATER:**

Ms. Holody stated that on February 2, 2018, a letter was sent to residents and businesses in the Wastewater Service District regarding the \$15 per month sewer fee. She stated that the Administrative Clerk has researched billing software options that would best fit the Village's needs. Mr. Kuboff is recommending a proposal from Frey Municipal Billing Software that would cost just less than \$2,600.

A MOTION to authorize the Fiscal Officer to purchase the software based upon the proposal that was received in an amount not to exceed \$2,600 was made by Ms. Holody and seconded by Mr. Weigand.

Council discussed the services that are included in the bill. The proposal was determined to be incorrect. It was determined that Frey would be asked to correct the proposal before it was approved.

Ms. Holody requested a motion by Council to authorize Stantec to design the proposed Wastewater Treatment Plant as a MBR system. She pointed out that the Planning Commission also made a recommendation that the MBR system be utilized.

A MOTION to direct Stantec to design the system for an MBR system was made by Ms. Holody and seconded by Mr. Weigand. Votes were: Mr. Matusz-yes; Mr. Kaplan-No; Ms. Holody-Yes; Mr. Weigand-Yes; Mr. Schneider-Yes. The motion was approved.

**ZONING:**

Mr. Kramer reported an application to remodel a barn was filed. He stated the structure is a grandfathered non-conforming structure.

**BUILDINGS AND GROUNDS:**

Ms. Holody stated that Ms. Booth (who was absent) did meet with someone about the windows in the Village Hall building. Ms. Booth thought the quote that was received was too expensive and other quotes should be sought. The Mayor stated that the reason for new windows is because the Village is receiving a small grant from NOPEC for energy efficiency improvements.

**CHAMBER OF COMMERCE:**

Mr. Weigand stated that Ramp-Up Peninsula will take place on April 28, 2018. It will not be located at Boston Township Hall as originally planned but rather throughout the Village in key locations such as G.A.R. Hall. There will be paid parking located at Heritage Farms with a police officer to direct traffic and another officer for general assistance. The parking price is unknown at this time, and some percentage will be donated to the Chamber. Heritage Farms, Boston Mills, and Boston Township Hall did not want to host the event for various reasons.

Mr. Weigand stated that the Chamber members have been updated on the Wastewater Project and parking discussions. The historical tour has ended, and they are working out a new tour with the railroad.

**POLICIES AND PROCEDURES:** Nothing to report.

**FIRE:** No report.

**CEMETARY BOARD:** Mr. Schneider reported that Paul Baker is now snowplowing the cemetery.

**JEDD:** Mr. Schneider reported the JEDD Board appointed Mr. Clifton President, Mr. Schneider Vice-President, and Ms. Anderson Treasurer.

**LEGISLATION:**

**Third Reading:** None.

**Second Reading:** None.

**First Reading:**

**RESOLUTION NO. 04-2018 AN EMERGENCY RESOLUTION ESTABLISHING THE ANNUAL OPERATING BUDGET AND SETTING FORTH THE APPROPRIATIONS FOR 2018.**

Mr. Bryan suggested that this Resolution be continued to a second reading at the March 12, 2018 Regular Council Meeting. The Budget needs to be adopted and sent to the County no later than March 31, 2018.

**RESOLUTION NO. 05-2018 A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY FOR THE VILLAGE TO ACCEPT A NORTHEAST OHIO PUBLIC ENERGY COUNCIL ENERGIZED COMMUNITY GRANT.**

Mr. Bryan explained the Village has been awarded a grant by NOPEC in the amount of \$1,850. The grant money must be used for some type of Village energy efficiency improvement. The Mayor is suggesting it be used to replace the four windows in the Village Hall building that were not replaced at the time the last window replacements were done. Mr. Kaplan requested that the wording in the title of the Resolution referring to "authorizing all actions necessary" be changed to another phrase. Mr. Bryan stated that was the wording provided to the by NOPEC in its requested legislation to accept the grant, and that wording was not something he would have chosen if he would have drafted the legislation from scratch. Mr. Bryan agreed that the title should instead state that the Resolution is simply authorizing the Mayor to accept the grant and enter into the grant agreement. He stated he would amend the title accordingly.

It was decided that this Resolution should be continued to a second reading at the March meeting since the Village has not obtained additional quotes for the window replacement work yet.

**RESOLUTION NO. 06-2018 AN EMERGENCY RESOLUTION INDICATING THE VILLAGE OF PENINSULA'S DESIRE TO PARTICIPATE IN THE COUNTY OF SUMMIT 2018 ROAD PAVING AND MAINTENANCE PROGRAM AND AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE COUNTY OF SUMMIT, THROUGH THE SUMMIT COUNTY ENGINEER, FOR CERTAIN ROAD PAVEMENT, MAINTENANCE, AND STRIPING WORK THROUGH THE PROGRAM.**

A MOTION to suspend three reading rule was made by Schneider seconded by Mr. Weigand. Votes were: Mr. Matusz-Yes; Mr. Kaplan-Yes; Ms. Holody-Yes; Mr. Weigand-Yes; Mr. Schneider-Yes. Motion approved.

Mr. Kaplan questioned why this legislation was not brought to Council earlier and why it was not being adopted pursuant to regular order so that multiple readings could take place and the emergency language was not necessary. Mr. Kaplan made a MOTION to remove the emergency language from the Resolution. The motion was not seconded and failed.

A MOTION to pass was made by Mr. Schneider and seconded by Ms. Holody. Votes were: Mr. Matusz-Yes; Mr. Kaplan-No; Ms. Holody-Yes; Mr. Weigand-Yes; Mr. Schneider-Yes. The Resolution was adopted.

**RESOLUTION NO. 07-2018 A RESOLUTION REAPPOINTING BRARIC BRYAN OF GOODWIN & BRYAN, LLP AS THE VILLAGE'S SOLICITOR AND PROSECUTOR FOR A TERM COMMENCING ON APRIL 1, 2018 AND ENDING ON MARCH 31, 2019.**

Mr. Kaplan stated he wanted legislation to be handled in regular order (i.e. multiple readings and no emergency legislation unless there is a true emergency). The Mayor wanted to make everyone not on Council aware that the new contract involves an increase in hours and pay. Mr. Bryan stated since the current contract does not expire until the end of March of 2018, this legislation does not have to be adopted at this meeting. As a result, it was decided the Resolution will just receive a first reading at this meeting.

**RESOLUTION NO. 08-2018 AN EMERGENCY RESOLUTION AUTHORIZING THE FISCAL OFFICER TO DISPOSE OF THE VILLAGE'S 2004 FORD F550 AND 2005 FORD F250 TRUCKS BY AUCTION.**

A MOTION to suspend the three reading rule was made by Mr. Kaplan and seconded by Mr. Matusz. Votes were: Mr. Matusz-Yes; Mr. Kaplan-Yes; Ms. Holody-Yes; Mr. Weigand-Yes; Mr. Schneider-Yes. Motion approved.

A MOTION to pass was made by Mr. Kaplan and seconded by Mr. Matusz. Votes were: Mr. Matusz-Yes; Mr. Kaplan-Yes; Ms. Holody-Yes; Mr. Weigand-Yes; Mr. Schneider-Yes. The Resolution was adopted.

**OLD BUSINESS:** None

**NEW BUSINESS:** None

A **MOTION TO ADJOURN** was made by Mr. Matusz and seconded by Ms. Holody. All were in favor; none opposed. The Meeting adjourned at 10:24 p.m.

Respectfully submitted:

John Stiegel, Fiscal Officer; Date

John Stiegel 3/21/18

Douglas Mayer, Mayor; Date 4-1-18

Douglas Mayer