

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

Held: September 10, 2018

CALL TO ORDER: The Village of Peninsula Council convened from 7:03 p.m. to 9:05 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 were present.

COUNCIL MEMBERS:

Michael Matusz	PRESENT	Douglas Mayer, Mayor	PRESENT
Mary Booth	ABSENT	Chris Weigand	PRESENT
Diane Holody	PRESENT	Daniel Schneider	PRESENT

Michael J Kaplan PRESENT (arrived at 7:43 p.m.)

OTHERS PRESENT: Fiscal Officer John Stiegel, Police Chief Joe Varga, and Solicitor Brad Bryan

CITIZENS' PARTICIPATION: None.

COUNCIL PARTICIPATION: None.

MAYOR'S REPORT:

Mayor Mayer reported there are two openings in the Police Department due to Officer Michael Testa being hired by the Richfield Police Department and Officer Kyle Allen resigning. Interviews for those openings are being conducted.

The Mayor updated the status of Sergeant Daniel Renz, who is on leave until the Brandywine Case investigation is completed. Officer Renz requested vacation time, which was granted by the Chief.

SOLICITOR'S REPORT:

Mr. Bryan reported he sent a letter to Councilmembers about the Stantec, and hopefully, Council will decide how it wants to proceed tonight.

FISCAL OFFICER'S REPORT:

Approval of Minutes:

A motion to approve the minutes for the April 9, 2018 meeting was made by Ms. Holody and seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, no; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted 3 votes to 1.

A motion to approve the minutes for the April 13, 2018 meeting was made by Ms. Holody and seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, no; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted 3 votes to 1.

A motion to approve the minutes for the April 14, 2018 meeting was made by Ms. Holody and seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, no; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted 3 votes to 1.

A motion to approve the minutes for the May 14, 2018 meeting was made by Ms. Holody and seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, no; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted 3 votes to 1.

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Ms. Holody made a motion to schedule a Special Council Meeting devoted to reviewing and approving the remaining backlog of Council Meeting minutes for September 24, 2018 at 5:00 p.m. The minutes in question are for the meetings of May 22, June 11, June 16, June 23, June 30, and July 9. The motion was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

OTHER REPORTS:

FINANCE LIAISON, MS. HOLODY:

Ms. Holody made a motion to acknowledge receipt of the August Financial Report. That motion was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Ms. Holody made a motion to approve the Payment of Bills dated September 10, 2018. The motion was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Mr. Schneider made a motion to approve the Quarterly Payroll . That motion was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Ms. Holody asked about the Village's tax revenue sharing rights pursuant to the County Agreement due to the school moving to Cuyahoga Falls. Mr. Bryan stated he will contact the Cuyahoga Falls Law Director to get the process moving.

POLICE LIAISON, MR. SCHNEIDER:

Mr. Schneider reported the new car that will replace the vehicle that was totaled in the accident will arrive in about 5 days.

ROADS AND PUBLIC WORKS LIAISON, MR. MATUSZ:

Mr. Matusz reported the price of road salt is going up significantly, and no new shipments will be received until January 2019. The roads that were part of the County Road Program have not yet been striped.

Mr. Matusz made a motion to approve the bid of MP Dory Company of Columbus, Ohio in the amount of \$28,450 for guard rail replacement on Rt. 303. That motion was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

PLANNING COMMISSION, MR. WEIGAND:

Mr. Weigand reported the most recent Planning Commission Meeting was held on August 27, 2018. Topics discussed were prioritizing subjects to focus on in the future. Traffic, Parking, Wastewater, Zoning, Infrastructure, and the Historic District were mentioned. The next Planning Commission Meeting is September 24th. The most recent Long Range Plan Meeting was held on September 4, 2018. Pages

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33-61 of the Long-Range Plan on Economy, Land Ownership, and Circulation were discussed. The next Long-Range Plan Meeting is October 1st.

Mr. Matusz asked about the status of the parking discussions. Mr. Weigand stated they have grouped that topic under the heading of traffic. The Planning Commission is looking at traffic flow, parking meters or pay stations, and the possibility of a shuttle service with transportation companies. Mr. Weigand stated they hope to reach out to ODOT or a third party to give them some insight on the above subjects, because everything is interrelated.

WASTEWATER:

Ms. Holody reported the Summit County Health Department was testing the storm sewers for any discharge that may be going into the system. The results should be available soon, but it is contingent on the weather. The testing requires two tests in a month at least 12 days apart. Ms. Holody passed out a letter from Tonia Burford of Summit County Public Health. Ms. Holody provided information on estimated costs for NPDES Systems over a 20-year period.

ZONING:

Mayor Mayer reported on the status of the Zoning Officer Position, which is not currently filled. He is gathering information from communities about their zoning inspector positions. Mr. Mayer stated he received a letter signed by a concerned citizen or Village resident about alleged zoning violations but will not investigate because the letter does not identify the sender.

BOARD OF ZONING APPEALS:

Mayor Mayer reported no meeting took place last month. The last BZA Meeting was about 4 years ago. There is one vacant position on the BZA.

BUILDING AND GROUNDS, MS. BOOTH: No report.

CHAMBER OF COMMERCE, MR. WEIGAND:

Mr. Weigand reported on the presentation that was made on Main Street America designations, which are now available to Ohio communities. Explore Peninsula and the Peninsula Foundation are sponsoring Music on the Porches, which will take place on September 22, 2018 from 11:00 a.m. to 8:00 p.m.

Ms. Holody stated the Heritage Academy is inviting the community to its Open House on October 1, 2018 from 7:00 p.m. to 9:00 p.m. The year 2021 is the 100-year anniversary of the school building. They would like to partner with the Village to have a celebration. Mr. Kaplan suggested the Peninsula Historical Society be contacted so it can be involved.

POLICIES AND PROCEDURES, MR. KAPLAN: No report.

FIRE BOARD, MR. SCHNEIDER:

Mr. Schneider reported the Board is interviewing for the for the second Lieutenant position. The CVNP has loaned the Valley Fire District an inflatable rubber boat to be used for rescues on the Cuyahoga River. Fire Department personnel have received water rescue training. The CVNP has provided a utility vehicle for rescues on the Tow Path Trail and other trails within the Park that will be at Station 1. The Park has also provided a medical trailer that is housed in Boston Heights.

CEMETERY BOARD, MR SCHNEIDER: No report.

JEDD, MR SCHNEIDER: No report.

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LEGISLATION:

Third Reading:

Resolution No: 22-2018

Requested by Councilperson Diane Holody and Fiscal Officer John Stiegel

A Resolution Authorizing Certain Amendments to the 2018 Annual Appropriation Resolution

The Resolution was read by title by the Solicitor. A motion to adopt the Resolution was made by Ms. Holody and seconded by Mr. Weigand.

A discussion took place as to how Council wanted to handle the Stantec contract and outstanding balance due. The options discussed included: **Option 1** disputing and negotiating what is owed, paying the current \$58,940.77 balance due and not having a final review meeting, **Option 2** paying the balance due and an additional \$2,500 to have the final review meeting, **Option 3** paying an additional \$5,200 to also have a 30% design review meeting with the County. **Option 4** paying an additional \$3,500 for the final review meeting and the completion of the NPDES Permit Application and Antidegradation Report, the consensus of Council was **Option 4** (to have the final project review meeting and complete the NPDES Permit Application and Antidegradation Report).

A motion to amend the Resolution to change the amount of the appropriation from \$70,000 to \$62,500 was made by Mr. Kaplan and seconded by Mr. Weigand.

Roll Call Vote (on the motion to amend): Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Roll Call Vote (on the motion to pass the amended Resolution): Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

Ms. Holody then made a motion to authorize the payment of an amount not to exceed \$62,500 to Stantec Consulting Services, Inc. That motion was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, no; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Resolution No: 24-2018

Requested by Councilpersons Mary Booth and Michael J Kaplan

A Resolution Directing the Mayor, Fiscal Officer, and their Respective Assistants to Suspend All Actions Regarding the Sewer Fees Set Forth in Chapter 931 of the Village Codified Ordinances

The Resolution was read by title by the Solicitor. A motion to adopt the Resolution was made by Mr. Kaplan and seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, no; Mr. Weigand, yes; Mr. Schneider, yes. The motion was adopted.

Ordinance No: 25-2018

Requested by Solicitor Brad Bryan and Councilperson Chris Weigand

An Ordinance Amending Chapter 941 of the Codified Ordinances Relating to the Use of Public Ways by Service Providers

The Ordinance was read by title by the Solicitor. A motion to adopt Ordinance 25-2018 was made by Mr. Weigand and seconded by Ms. Holody.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Ordinance was adopted.

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Second Reading:

Resolution No: 26-2018B

Requested by Fiscal Officer John Stiegel

A Resolution Authorizing Certain Amendments to the 2018 Annual Appropriation Resolution

The Resolution was made by title by the Solicitor. A motion to suspend the three reading rule was made by Mr. Kaplan and seconded by Mr. Matusz.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, no; Mr. Weigand, yes; Mr. Schneider, yes. The motion failed due to its failure to receive the required 5 affirmative votes. This Resolution will proceed to a third reading at the next Regular Council Meeting.

Resolution No: 27-2018

Requested by Councilperson Dan Schneider and Police Chief Joe Varga

A Resolution Authorizing the Mayor to Enter into An Agreement with the Summit County Sheriff's Office to Remain a Summit County OVI Task Member

The Resolution was read by title by the Solicitor. A motion to suspend the three reading rule was made by Mr. Schneider and seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion passed.

A motion to adopt Resolution No: 27-2018 was made by Mr. Kaplan and seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

First Reading:

ORDINANCE NO. 29-2018

Requested by Councilperson Diane Holody

An Ordinance establishing Section 339.13 of the Traffic Code prohibiting the Use of Engine Retarding Devices or Engine Compression Brakes in the Village

This Ordinance was read by title by the Solicitor. It will proceed to a second reading at the next Regular Council Meeting.

OLD BUSINESS:

Mr. Matusz stated the Service Department will need help for the winter, and the leaf machine needs to be sent in for repairs.

A discussion took place regarding Service Department staffing and possible cooperation between the Village and Township departments with respect to manpower and equipment.

Council discussed the status of the minutes and the need for a better recording device to be used. Installing better permanent equipment was discussed.

Mr. Kaplan announced the annual American Planning Association Planning and Zoning Workshop will take place on November 1, 2018. He encouraged everyone to attend. The Village will pay the admission fee for anyone on the Planning Commission or Council to attend.

Council discussed that due to Columbus Day, the next Regular Council Meeting is scheduled for Tuesday October 9. Council decided meeting on Monday October 8th was preferred. Mr. Kaplan made a motion to change the next Regular Council Meeting from Tuesday October 9 to Monday October 8. That motion was seconded by Mr. Schneider.

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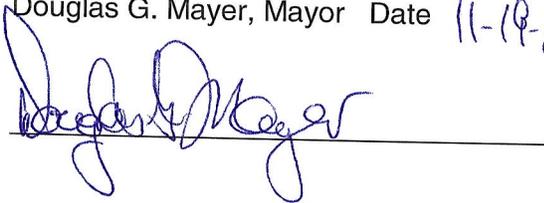
Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes.
The motion was adopted.

NEW BUSINESS: None.

ADJOURNMENT: A motion to adjourn was made by Mr. Matusz and seconded by Mr. Kaplan. All were in favor of the motion; none were opposed. The meeting was adjourned at 9:05 p.m.

Respectfully submitted:

Douglas G. Mayer, Mayor Date 11-19-2018



A handwritten signature in blue ink, appearing to read "Douglas G. Mayer", is written over a horizontal line.