

**DRAFT**

**RECORD OF PROCEEDINGS  
VILLAGE OF PENINSULA COUNCIL  
REGULAR SESSION  
June 11, 2018**

**CALL TO ORDER:** The Village of Peninsula Council convened from 7:00 p.m. to 10:35 p.m. in the Peninsula Village Hall. The meeting was called to order by Mayor Mayer, and the Pledge of Allegiance was recited.

**ROLL CALL:** The following officials were present: Mayor Douglas Mayer and Councilpersons Mike Matusz, Mary Booth, Michael J. Kaplan, Dee Holody, Christopher Weigand, and Daniel Schneider. Solicitor Brad Bryan, Fiscal Officer John Stiegel, and Boston Township Trustees Amy Anderson, Randy Bergdorf, and Bill Clifton were also present.

Mr. Matusz advised he must leave the meeting early and asked if any important issues and the legislation could be moved toward the beginning of the meeting. Mayor Mayer said they would try to accommodate Mr. Matusz.

**MAYOR'S REPORT:**

Mayor Mayer welcomed the Trustees from Boston Township and stated the collective group is required to vote to maintain the 1 mill levy for cemetery upkeep for the Union Cemetery Association.

Amy Anderson gave the annual report for the Union Cemetery Association. The total income for 2017 was \$48,150 with 88% of those funds coming from taxes. The total payments for 2017 were \$40,287. The checking account balance carried over was \$32,285. The fact that the Association has limited sources of income aside from the tax money was discussed. The cemetery has payroll, insurance, gasoline, equipment, workers compensation, medical insurance, equipment maintenance, and other miscellaneous expenses. Mayor Mayer stated he appreciates the efforts of the new cemetery workers. The resetting of the old cemetery stones looks great. They did a fantastic job.

A motion was made by Mr. Schneider and seconded by Mr. Matusz to maintain the Union Cemetery Association 1 mil levy for cemetery upkeep. All Village Council Members and Boston Township Trustees voted in favor of the motion; none were opposed. The motion was adopted.

Mayor Mayer recognized Seasonal Service Department employee Dave Morehouse for 46 years of service to the Fire Department and his work on behalf of the Service Department. Council joined in the Mayor's recognition of Mr. Morehouse's efforts on behalf of the community.

Mayor Mayer introduced the Village's insurance agent Rich Studenic from Wichert Insurance Agency, who was present to discuss the renewal of the Village's insurance policies.

DRAFT

Mr. Studenic stated the current policies expire on June 23, 2018, and the Village's yearly premium is increasing by 6% next year due to increased property values and the claims history. In response from questions from Council, he responded that the deductible for property damage claims is \$500. He confirmed there is no replacement cost coverage for the barn if it burns down. Council stated it may want that coverage added. Mr. Studenic stated he would try to obtain an actual cash value for the barn and get a quote for that coverage, Mr. Studenic, Mr. Kaplan, and Council discussed different methods of and difficulties with valuing the barn and its replacement cost. Council stated it would wait to hear back from Mr. Studenic on that quote to add replacement coverage for the barn and then decide whether it will be added.

Mr. Studenic confirmed that the aggregate coverage amounts apply to all claims that are covered by the same carrier. The vehicles are insured under the automobile coverage, while the tractors, weed eaters, leaf blowers, etc. are insured under the inland marine coverage.

Council asked the Fiscal Officer if the Village has a vehicle and equipment inventory. The Fiscal Officer advised that there is one. Council asked to be provided with a copy.

Mr. Kaplan asked why the Village did not receive the renewal quote earlier. The insurance policy expires on June 23, 2018, and this evening is the first time they have been able to review it. Mr. Studenic stated that carriers are reluctant to provide renewal quotes well ahead of the renewal date because they want a longer time to evaluate the claims experience and do not want quotes out there that can be shopped. Mr. Kaplan asked if the Village can get an earlier renewal quote next year so that it can have enough time to evaluate it. Mr. Studenic stated the earliest he thinks he could get a renewal quote would be 60 days before the policy expiration date, and he will ask the carriers to meet that deadline next year.

**Resolution No. 19-2018. A Resolution Authorizing the Mayor and Fiscal Officer to Enter into an Agreement with Wichert Insurance to Provide Insurance Coverage for the Village from Selective Insurance Company and Insurance Indemnity of North America. (First Reading)**

A motion to suspend the three reading rule was made by Ms. Holody and seconded by Mr. Weigand. Mr. Kaplan stated these types of decisions should be made over three meetings, and he was protesting the time frame Council has for considering this issue. If the quote would have been received timely, the rules would not have to be suspended. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-no, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes.

A motion to adopt was made by Ms. Holody and seconded by Mr. Matusz. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-abstain, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The Resolution was adopted.

**FINANCE LIAISON: Dee Holody**

Ms. Holody made a motion to acknowledge receipt of the financial reports, which was seconded by Mr. Schneider. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was adopted.

**DRAFT**

Ms. Holody made a motion to pay the bills submitted for June of 2018, which was seconded by Mr. Schneider. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was adopted.

**POLICE DEPARTMENT LIAISON: Daniel Schneider**

Mr. Schneider made a motion to purchase tires for police cars from Goodyear Auto Center in an amount not to exceed \$2,740. The motion was seconded by Mr. Weigand. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was adopted.

Mr. Schneider made a motion to authorize Chief Varga to order a police car to replace the one that got totaled in an accident last month. Mr. Bryan stated that almost all the cost would be reimbursed by the driver that damaged the totaled vehicle's insurance company. The motion was seconded by Mr. Kaplan. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was adopted.

**ROADS AND PUBLIC WORKS LIAISON: Michael Matusz**

A motion was made and seconded to order and rent a portable toilet for the Service Department at the cost of \$95.00 per month. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was approved.

A discussion was held regarding spraying weeds along the roadside.

The Mayor and Council requested the Fiscal Officer to advertise for a Seasonal Service Department employee and a Zoning Officer.

**LEGISLATION:**

**Third Reading:**

**Resolution No. 12-2018. A Resolution Expressing the Village of Peninsula's Support for the Summit County Tobacco 21 Initiative.**

A motion to adopt was made and seconded. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The Resolution was adopted.

**Second Reading:** None.

**First Reading:**

**Resolution No. 17-2018. A Resolution Designating Councilperson Christopher Weigand as the Public Records Act Training Designee for 2018 for Mayor Douglas Mayer and Councilpersons Daniel Schneider, Dee Holody, Michael J. Kaplan, Mary Booth, and Michael Matusz.**

This Resolution was read by title.

**Ordinance No. 18-2018. An Ordinance Repealing Chapter 931 of the Codified Ordinances Relating to the Village Wastewater Service District Monthly Sewer Fee.**

This Ordinance was read by title.

**DRAFT**

**Resolution No. 20-2018. A Resolution Authorizing the Mayor to Enter into a Cooperative Agreement with the County of Summit for Certain Culvert and Drainage Pipe Repair and Improvement Work through the County 2018 Culvert Replacement Program.**

It was noted that the cost for this work is not to exceed \$33,500.

A motion to suspend the three reading rule was made by Mr. Matusz and seconded by Mr. Schneider. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was adopted.

A motion to adopt was made by Mr. Matusz and seconded by Mr. Schneider. Roll Call Vote: Mr. Matusz-yes, Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The Resolution was adopted.

**CITIZENS PARTICIPATION:**

Kathy Bertsch of Mill Street stated she likes living downtown and supports the downtown area and the Foundation. She does not support assessing property owners equally for the sewer design plan. She does not feel that is fair. If what the Village is trying to do is support the businesses, she is all for it. If it involves a central sewer system, she is not in support of it. She is being asked to pay for the sewers, and she fears it. She feels threatened by development and is being asked to pay for it. It is not fair for her and for those persons outside of the District. She would like to thank Council, the Ohio EPA, and the County Sewer Department for meeting back on May 22. She thanked Council for inviting the EPA and would love to hear more from the EPA and County Health Department. She does not think there is a shared consensus as to what everyone heard. She would like to know what everyone on Council heard. She heard that the County Health Department is working through a three-year program, including a Village wide inspection of every septic system. Every system should be inspected. The EPA said there is no gun to our head. She would like to hear what the Planning Commission thinks and whether we want development. Sewers provide value for the commercial area not the residents. The sewer system falls on the backs of the residents who have compliant septic systems. The residents of the District are the ones on the river that are going to feel the brunt of the traffic. She hopes Council will put the sewer plans on hold and continue discussions.

**OLD BUSINESS:**

Mr. Kaplan made a motion to eliminate the Wastewater Core Team. The motion failed.

Mr. Kaplan asked the Solicitor if the decision to put the question whether the Village should go forward with the wastewater project on the ballot for the voters to decide would be an ordinance or a resolution. Mr. Bryan stated that action would be taken in the form of a resolution. Mr. Kaplan asked the Solicitor to prepare such a resolution. The Solicitor stated he would have to discuss the matter further with Mr. Kaplan before doing so to find out exactly what he had in mind for the ballot issue.

Council voted to schedule a Special Council Meeting on Saturday June 16, 2018 from 9:30 a.m. to 11:00 a.m. to discuss wastewater issues.

**NEW BUSINESS:** The Mayor requested that he be included and invited to all meetings via email or in person.

**EXECUTIVE SESSION:** A motion was made by Ms. Holody and seconded by Mr. Weigand to go into executive session at the request of the Mayor to discuss an employee personnel issue. Roll Call Vote: Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was adopted. The executive session commenced at 10:17. A motion to come out of executive session was made by Mr. Kaplan and seconded by Mr. Weigand. Roll Call Vote: Ms. Booth-yes, Mr. Kaplan-yes, Ms. Holody-yes, Mr. Weigand-yes, Mr. Schneider-yes. The motion was adopted. The executive session ended at 10:35 p.m.

**ADJORNMENT:** A motion to adjourn was made by Mr. Kaplan and seconded by Mr. Weigand. All were in favor of the motion; none were opposed. The Meeting adjourned at 10:35 p.m.

DRAFT