

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

Held: May 13, 2019

CALL TO ORDER: The Village of Peninsula Council convened from 7:00 p.m. to 9:24 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.

COUNCILMEMBERS:

Michael Matusz	PRESENT	Mayor Douglas Mayer	PRESENT
Diane Holody	PRESENT	Chris Weigand	PRESENT
Michael J. Kaplan	PRESENT	Daniel Schneider	PRESENT

OTHERS PRESENT: Fiscal Officer Deborah Wordell, Chief Jim Varga, and Solicitor Brad Bryan. Boston Township Trustees Randy Bergdorf, Amy Anderson, and Bill Clifton were also present.

Resolution No. 12-2019

A Joint Resolution Authorizing the Continuance of the One Mill Cemetery Maintenance Tax for the Village of Peninsula and Boston Township Cemetery Association

The Annual Joint Meeting of Village Council and the Boston Township Board of Trustees for the Peninsula and Boston Township Cemetery Association was called to order.

Roll Call:

Michael Matusz	PRESENT	Chris Weigand	PRESENT
Diane Holody	PRESENT	Daniel Schneider	PRESENT
Michael J. Kaplan	PRESENT	Bill Clifton	PRESENT
Randy Bergdorf,	PRESENT		
Amy Anderson	PRESENT		

Mr. Bergdorf presented the Cemetery Association Annual Report and Balance Sheet for 2018. The end of the year checking account balance was \$32,341.44.

Mr. Schneider made a motion to approve Joint Resolution No.12-2019 Authorizing the Continuance of the One Mill Cemetery Maintenance Tax for the Village of Peninsula and Boston Township Cemetery Association that was seconded by Mr. Bergdorf.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes; Ms. Anderson, abstain; Mr. Bergdorf, yes; Mr. Clifton, yes. The Joint Resolution was adopted.

A motion to adjourn the Joint Cemetery Board meeting was made by Mr. Kaplan and seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes; Ms. Anderson, yes; Mr. Bergdorf, yes; Mr. Clifton, yes. The meeting was adjourned.

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CITIZENS PARTICIPATION: John Sorna of 6711 Akron-Peninsula Road stated there is a traffic issue at the intersection of Boston Mills Road and Akron-Peninsula Road. He suggested that a stop sign be erected. Chief Varga stated he would look into the matter.

Amy Anderson thanked everyone who participated in the Valley Fire District Pancake Breakfast held on May 5, 2019.

Michael Mraz of 2277 Major Road stated he supports a cooperative maintenance venture between Boston Township and the Village. Mr. Mraz stated he opposes Resolution 09-2019, A Resolution Requiring that Prior to Entering into any Contract for Designing, Constructing, or Operating a Village Centralized Wastewater System, Council Seek and Receive Approval from the Village Electorate to Move Forward with the Wastewater Project.

Randy Bergdorf commented he would like to have a formal contract in place between the Village and Township regarding road maintenance.

COUNCIL PARTICIPATION:

Mr. Schneider stated the new Village truck would not be ready until the end of May or early June. He stated Mr. Kuboff misleads people and quoted an email. Mr. Schneider also indicated the Village is not paying rent for use of the Townships' equipment and stated the Village needs to purchase its own equipment. He expressed there is a lack of leadership in the Road Department, and the Village should have bought the truck from Macedonia.

Mayor Mayer stated he thought the truck bid he received from Lebanon Ford was for a finished truck that was ready on the lot. Only after proceeding to order and pick up the truck was it clarified that the truck still needed to be fabricated. A misunderstanding took place between the Mayor and the sales person. The truck is currently being worked on. Mayor Mayer also asked to see the email in question before speaking further on the accusation Mr. Schneider made about Mr. Kuboff. Furthermore, Boston Township did supply a list of equipment it wanted the Village to purchase. The Mayor added the necessary safety equipment and equipment maintenance supplies to that list.

Mr. Kaplan stated all these issues go away if we let Boston Township handle the roads and the Village handle the police.

MAYOR'S REPORT:

Mayor Mayer reported Marty Kuboff, Administrative Assistant, is eligible for his step raise retroactive to April 12, 2019. Mr. Kuboff's performance evaluation shows a strong work ethic and he has been an asset to the Village. Mayor Mayer would like to bring Mr. Kuboff up to his top level of \$14.00 per hour.

A motion was made by Mr. Kaplan to authorize the step raise that was seconded by Mr. Matusz.

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

SOLICITOR'S REPORT:

Army Corps Directive Update: The Village received an additional thirty-day extension from the Army Corps until June 1, 2019. A meeting at the site is scheduled for Wednesday, May 15, 2019. Attendees from the Cuyahoga Valley National Park, the Army Corps of Engineers Civil and Enforcement divisions, McCabe Engineering, and the Ohio Environmental Protection Agency will be present along with the Village Committee members.

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Council Vacancy: Two qualified applicants applied for the vacant Council position. Mr. Kaplan stated he would like the opportunity to speak with candidates and suggested that a Special Meeting be scheduled. The Solicitor stated Council is under a thirty-day deadline to make the appointment that expires at the end of the day on May 15.

Mr. Schneider made a motion to appoint applicant Richard Fisher Jr. that was seconded by Mr. Matusz.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, no; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The appointment was approved. Mr. Richard Fisher, Jr. was sworn in and took his seat on Council.

Facebook Page Rules and Policies: Mr. Bryan submitted a draft of a Village of Peninsula Social Media Site Policy for Council's review. See attachment. It was determined that the proposed policy would be reviewed at a future meeting.

Service Department Fire Insurance Claim: Mr. Bryan reported the Service Department building demolition and clean-up is ready to move forward as soon as possible. He was asked to get an additional quote for removing the slab and re-grading the property. The contractor performing the demolition, Bennett Construction, submitted a quote for that additional work in the amount of \$10,940. It was determined that the additional work would not be added at this time. If Council wished to have it done in the future, new bids would be sought for that work. Mr. Schneider stated any re-bid would need to also include the removal of the pole on the site. Mr. Bryan stated an asbestos test needs to be completed before the 10 day EPA letter can be issued and the work can begin. The clean-up work needs to be completed within 45 days. The Village will be paying less than \$7,000 for the demo and clean-up work, and the Village's insurance company paid the Village \$16,464 for this item.

Tax Board of Review: The Board members have been appointed, and an appeal hearing will be scheduled before the end of the month.

LEGISLATION:

Third Reading:

Resolution No. 09-2019

Requested by Councilperson Kaplan

A Resolution Requiring that Prior to Entering into any Contract for Designing, Constructing, or Operating a Village Centralized Wastewater System, Council Seek and Receive Approval from the Village Electorate to Move Forward with the Wastewater Project

A motion to adopt the Resolution was made by Mr. Kaplan and seconded by Mr. Matusz.

Roll Call Vote: Mr. Fisher, abstain; Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, no; Mr. Weigand, no; Mr. Schneider, no. The Resolution did not pass.

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Second Reading:

Resolution No. 11-2019

Requested by Councilperson Kaplan

A Resolution Authorizing the Adoption of Rules of Council

Mr. Kaplan handed out a revised draft of the proposed Rules and stated this draft includes all of his proposed Rules. My Bryan stated he will add citations to the relevant Ohio Revised Code and Village Code provisions before next month's meeting.

FISCAL OFFICER'S REPORT:

Consideration of Minutes:

March 11, 2019 Regular Council Meeting

April 15, 2019 Special Council Meeting

May 2, 2019 Special Council Meeting

Minutes for the March 11, 2019 Regular Council Meeting

Ms. Holody made a motion to approve the minutes for the March 11, 2019 Regular Council Meeting that was seconded by Mr. Schneider.

Mr. Kaplan made a motion to amend these minutes as he requested at the April Council meeting. The amendment requested that the following additional language be added to the minutes:

"Mr. Kaplan requested that his affidavit that he turned in on March 18, 2019 be included in the official record of this meeting. A discussion took place between Mr. Kaplan and Ms. Holody on the intent, validity, and purpose of the affidavit, during which Ms. Holody called Mr. Kaplan a liar, and Mr. Kaplan reminded Ms. Holody that the affidavit was signed under oath. Mr. Kaplan further stated that the affidavit reflects the true facts as learned by him, and that the Affidavit was provided to the Council for whatever purpose may arise."

Mr. Kaplan's motion to amend was seconded by Mr. Matusz.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, abstain; Mr. Kaplan, yes; Ms. Holody, no; Mr. Weigand, yes; Mr. Schneider, yes. The motion to approve the amendment was adopted.

A motion to approve the minutes as amended was made by Mr. Schneider and seconded by Mr. Matusz.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, abstain; Mr. Kaplan, yes; Ms. Holody, no; Mr. Weigand, yes; Mr. Schneider, yes. The March 11, 2019 Minutes were approved as amended.

Minutes for the April 15, 2019 Special Council Meeting

Mr. Kaplan made a motion to approve the March 18, 2018 Special Council Meeting Minutes that was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, abstain; Mr. Kaplan, yes; Ms. Holody, abstain; Mr. Weigand, yes; Mr. Schneider, yes. The April 15, 2019 Special Council Meeting Minutes were approved.

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Minutes for the May 2, 2019 Special Council Meeting

Mr. Weigand made a motion to approve the May 2, 2019 Special Council Meeting Minutes that was seconded by Mr. Matusz.

Ms. Holody stated a signature line for the Fiscal Officer needs to be added. Mr. Bryan stated it would be added.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, abstain; Mr. Kaplan, abstain; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The May 2, 2019 Special Council Meeting Minutes were approved.

FINANCE LIAISON, MS. HOLODY: Ms. Wordell suggested a change be made to elected officials pay from quarterly to monthly. The OPERS reporting system is not set up for quarterly payments.

Mr. Kaplan made a motion to change the frequency of elected officials pay from quarterly to direct deposit monthly effective July, 2019 that was seconded by Mr. Weigand.

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

Mr. Schneider made a motion to acknowledge receipt of the Financial Reports that was seconded by Mr. Kaplan.

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

Mr. Kaplan made a motion to ratify the Payment of Bills that was seconded by Mr. Schneider.

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

Mayor Mayer requested authorization to purchase items and equipment for the Service Department in an amount not to exceed \$3,200. A discussion took place as to whether the purchase of these items was necessary in light of the Village Department working out of the Boston Township facility and the Service Department discussions with Boston Township. All equipment will be inventoried and tagged as Village property.

Mr. Matusz made a motion to approve the list of equipment that was seconded by Mr. Schneider.

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

POLICE LIAISON, MR. SCHNEIDER: Mr. Schneider reported new tires are needed for the Police Department cruisers. Detective Westfall is in the process of obtaining a quote. It was determined that authorization of the tires will be added to the agenda for the June meeting. The

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Village has not yet been paid by the insurance company for the Police Department tires lost in the Service Department fire.

ROADS AND PUBLIC WORKS LIAISON, MR. MATUSZ: Mr. Matusz reported the Service Department worked with Boston Township's Service Department to make the repairs to Bishop Lane. He stated the combined crew did a great job.

PLANNING COMMISSION, MR WEIGAND: Mr. Weigand reported the Planning Commission unanimously approved the Long Range Plan Update on May 6 after approximately 34 months of work. He thanked everyone involved. The Planning Commission will now start working on zoning updates, a proposed historic preservation overlay district ordinance, and a short-term rental ordinance. The Planning Commission will continue to have two meetings per month. The next Planning Commission meeting is May 28. The Planning Commission is asking for Council to give its blessing to the Long Range Plan Update, even though that is not required.

WASTEWATER: Nothing to report.

ZONING: Mr. Bryan reported on the pending Canal Street home demolition. The Village has received three bids, and Council needs to approve the lowest and best bid in order to move forward with the demolition. Some in the community would like to consider potentially restoring the historic site. The Planning Commission chose not to invoke the historic structure proceedings due to the dilapidated and unsafe condition of the structure. Mr. Kaplan stated he would like for Council to take some time before approving a demolition contract. He suggested a sixty-day delay, until the July Council meeting, to see if someone would come forward with a plan to save the historic structure.

Mr. Kaplan made a motion to approve a sixty-day delay of the demolition that was seconded by Mr. Matusz.

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

BOARD OF ZONING APPEALS: No report.

BUILDING AND GROUNDS: Mayor Mayer and Mr. Schneider reported the flag pole was fixed with the assistance of the CVNP. The Mayor stated the Village's NOPEC energy efficiency grant amount for 2019 is \$3,750. The Village received a quote to replace the final three windows yet to be replaced at Village Hall in the amount of \$6,211. If the grant money is used for that purpose, the final cost to the Village would be \$2,641 for the window replacement.

Mr. Bryan stated he would prepare the legislation to accept the grant for the next Council Meeting.

CHAMBER OF COMMERCE, MR. WEIGAND: Mr. Weigand stated he had no report.

POLICIES AND PROCEDURES, MR. KAPLAN: Mr. Kaplan stated he had nothing additional beyond the updated version of the Council Rules he already presented.

FIRE BOARD, MR. SCHNEIDER: Mr. Schneider reported the pancake breakfast had a good turn-out. No one else on Council showed up.

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CEMETERY BOARD, MR SCHNEIDER: Mr. Schneider reported things are going well.

JEDD, MR. SCHNEIDER: Mr. Schneider reported the JEDD board needs a new member to replace Ms. Booth. Mayor Mayer asked Mr. Fisher if he would be willing to serve on the JEDD Board. Mr. Fisher agreed to do so.

Mr. Matusz made a motion to appoint Mr. Fisher to the JEDD Board that was seconded by Mr. Schneider.

Roll Call Vote: Mr. Matusz, yes; Mr. Fisher, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. Mr. Fisher was appointed to the JEDD Board.

OLD BUSINESS: Mayor Mayer will have quotes for the windows and the structural repair to Village Hall for the next Council Meeting.

NEW BUSINESS: Ms. Wordell stated the Village's insurance agent, Rich Studenic, will have the insurance quote for the Village prior to the next meeting. Ms. Wordell stated she was just handed a quote for the new Police Department vehicle tires by Officer Westfall in the amount of \$3,100. A discussion took place as to whether this item should be considered and approved at this time.

Mr. Schneider made a motion for the purchase of the new tires in an amount not to exceed \$3,100 that was seconded by Mr. Matusz.

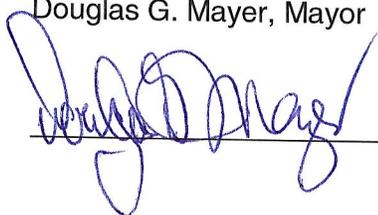
Mr. Kaplan objected to considering this expense at this time and stated this is not how Council should be conducting business.

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

ADJOURNMENT: A motion to adjourn was made by Mr. Kaplan and seconded by Mr. Matusz. All were in favor of the motion; none were opposed. The meeting was adjourned at 9:24 p.m.

Respectfully submitted:

Douglas G. Mayer, Mayor



Date

6-24-19

Deborah Wordell, Fiscal Officer



06/14/2019