Record of Proceedings
Village of Peninsula Council
REGULAR SESSION

Held: Monday, November 11, 2019

CALL TO ORDER: The Village of Peninsula Council convened at 7:00 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	Mayor Douglas Mayer	PRESENT
Richard Fisher, Jr.	ABSENT	Chris Weigand	PRESENT
Michael J. Kaplan	PRESENT	Daniel Schneider	PRESENT
Diane Holody	PRESENT		

OTHERS PRESENT: Solicitor Brad Bryan.

CITIZENS PARTICIPATION: United Methodist Church Trustees and representatives addressed Council, urging action on the extremely poor condition of the sidewalk in front of the Church. They reported many people in the congregation are elderly and the sidewalk poses a tripping hazard to the community as well as those who visit. They stated Ms. Holody raised the poor sidewalk conditions that exist around the United Methodist Church and other locations around the downtown at a prior Council meeting. Solicitor Bryan clarified that Codified Ordinance Section 521.06 states that owners of abutting land must keep sidewalks in repair and free from snow, ice, or any nuisance. Councilman Kaplan reiterated that law states the abutting property owner is responsible for the cost to install and maintain their sidewalk. Councilman Matusz suggested a few Councilmembers meet with the Church Trustees to discuss a solution. Ms. Holody and the Church Trustees stated they were in favor of that solution. Councilman Weigand suggested the entire Village be assessed to see where sidewalk improvements are needed and a unified way to address the issue going forward be adopted.

Dick Slocum of 1563 Mill St. stated there is a swastika carved into one of the sandstone sidewalk pieces on Rt. 303 adjacent to the Methodist Church. He asked that the Village replace it.

Councilman Schneider expressed kind words for the late Patricia J. Tesmer, who passed away last week. She was a highly thought of active member of the community who will be greatly missed.

COUNCIL PARTICIPATION: None.

MAYOR'S REPORT: The Mayor reported the Village Fiscal Officer resigned in October, and he would like to appoint Trevor Elkins to the position of Village Fiscal Officer. Mr. Elkins' pay rate will be $23.00 per hour and his hours shall not exceed 20 hours per week. Mr. Elkins was interviewed by himself, Councilpersons Kaplan and Holody, and Mr. Bryan. Mr. Kuboff and Mayor-elect Schneider were also present.

A motion was made by Ms. Holody to confirm the Mayor's appointment of Mr. Elkins as the Village's Fiscal Officer at a pay rate of $23.00 per hour with his hours not exceeding 20 hours per week. The motion was seconded by Mr. Kaplan.

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

SOLICITOR'S REPORT:
Army Corps Directive Update: Mr. Bryan stated the Village received an additional thirty-day extension until November 30, 2019. The Village's Engineer for this matter, CVNP representatives, and representatives of the Army Corps have a meeting scheduled for later this week in connection with this issue.

Letter to Trucking Companies: Mr. Bryan stated the letters to the trucking companies asking them to not use Rt. 303 as a cut through between I271 and Rt. 8 have been sent out.

Republic Waste Services Contract Update: Mr. Bryan stated he spoke with the Village's Republic representative, and it looks like the carriers and Summit Solid Waste have come to a consensus regarding what should be recyclable going forward. Republic is working on a proposal for the Village, and it hopes to have it ready for Council's December meeting.

LEGISLATION:
Third Reading:
Resolution No. 11-2019
Requested by Councilperson Kaplan
A Resolution Authorizing the Adoption of Rules of Council

This Resolution was read by title by Mr. Bryan. Mr. Bryan reported he amended the Ordinance as requested by Council. The Ordinance now states that the Rules would cease to be in effect after December 31, 2020 unless affirmative action is taken by Council to extend the Rules.

Ms. Holody stated she takes issue with the final paragraph of Rule 7 which prohibits Councilmembers from being able to immediately respond to concerns raised in the Citizens Participation portion of the meeting. Ms. Holody commented when the public takes the time to attend a meeting and raise a question or concern, she believes Councilmembers should be able to answer the question if they would like. Mr. Kaplan responded by stating he believes engaging the citizens during that portion of the meeting more often delays Council and sidetracks it from proceeding with its agenda.

Based upon the above discussion, a motion was made by Mr. Kaplan to change the word "response" to the word "debate" in proposed Rule 7. The motion was seconded by Mr. Weigand.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion to amend proposed Rule 7 was adopted.

Ms. Holody stated she also took issue with a few items in Rule 12, including Item 1, which requires the agenda to be prepared seven days prior to the date of any Regular Meeting. Ms. Holody believes it should be the Wednesday before or three business days.

A motion was made by Mr. Weigand to change "seven" to "Wednesday or three business days" that was seconded by Mr. Kaplan.

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

Ms. Holody stated she also takes issue with Rule 12, Item 3 that requires Councilmembers to advise the Clerk that they have received the agenda and written materials and reviewed them at least three days prior to the meeting. Ms. Holody believes there is no need for that item. A motion was made by Ms. Holody to remove Item 3 of Rule 12 altogether that was seconded by Mr. Weigand.

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

Ms. Holody also stated she would like to add a requirement that all documents submitted should have the name of the person submitting them and the date they were prepared or submitted. A motion was made by Mr. Kaplan to add an Item 5 to Rule 12 stating all documents submitted to Council shall have the name of the person submitting them and the date the document was prepared or submitted. The motion was seconded by Mr. Weigand.

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

A motion was made by Mr. Weigand to pass the Resolution as amended that was seconded by Mr. Kaplan.

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

Ordinance No. 21-2019
Requested by Councilperson Weigand
An Ordinance Establishing Chapter 1119 of the Zoning Code Relating to the Conservation/Recreation District and Overlay

This Ordinance was read by title by Mr. Bryan. Based on the comments received at the October 14, 2019 Public Hearing in connection with this Ordinance, Mr. Bryan

stated changes were made to this Ordinance. The Planning Commission wants to review those changes it its December 2, 2019 Meeting before the Ordinance is adopted by Council.

Resolution No. 22-2019
Requested by Councilperson Weigand
A Resolution Supporting the Village Planning Commission's 2019 Long Range Plan Update

The Resolution was read by title by Mr. Bryan. Mr. Kaplan made a motion to adopt the Resolution that was seconded by Mr. Schneider.

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

Second Reading: None.

First Reading:
Ordinance No. 28-2019
Requested by Councilpersons Schneider and Matusz
An Ordinance Establishing Section 137.03 of the Codified Ordinances Relating to Service Department Uniform Allowances

The Ordinance was read by title by Mr. Bryan. Mr. Bryan stated, at the suggestion of the Mayor and Mr. Matusz, this Ordinance requires that purchases be made via a purchase order voucher system from approved vendors for clothing worn by employees only for and at work. The allowance is $300 for full-time employees and $250 for part-time or seasonal employees. This Ordinance will advance to a second reading at the next Regular Council Meeting.

Resolution No. 29-2019
Requested by Mayor Mayer
A Resolution Authorizing the Mayor to Execute an Agreement with Boston Township for the Purchase of Road Salt

This Resolution was read by title by Mr. Bryan. A motion to suspend the three reading rule 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. The motion was approved.

A motion to pass the Resolution 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. The Resolution was adopted.

REPORTS

FISCAL OFFICER'S REPORT:

Consideration of Minutes:

October 14, 2019 Public Hearing: Ms. Holody made a motion to approve the Minutes for the October 14, 2019 Public Hearing that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, abstain; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The October 14, 2019 Public Hearing Minutes were approved.

October 14, 2019 Regular Council Meeting: Ms. Holody made a motion to approve the Minutes for the October 14, 2019 Regular Council Meeting that was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, abstain; Mr. Kaplan, yes; Ms. Holody, yes; Mr. Weigand, yes; Mr. Schneider, yes. The October 14, 2019 Regular Council Meeting Minutes were approved.

FINANCE LIAISON, MS. HOLODY:

Acknowledgement of Receipt of Financial Reports: Ms. Holody made a motion to acknowledge the receipt of the Financial Reports that was seconded by Mr. Kaplan.

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

Ratification of Payment of Bills on Submitted Bills List: A motion was made by Ms. Holody to ratify the payment of bills on the Submitted Bills List that was seconded by Mr. Kaplan.

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

Ratification of Payment to Boston Township for Gas Bill: A motion was made by Mr. Kaplan to ratify the payment that was seconded by Mr. Matusz.

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

POLICE LIAISON, MR. SCHNEIDER: Mr. Schneider reported the Police Department needs new tires due to the tires that were lost in the Service Building fire. The invoice total is $2,991. Mr. Schneider reported the Village received payment from its insurance company for the lost tires. It was determined that the matter would be handled by the new Fiscal Officer.

ROADS AND PUBLIC WORKS LIAISON, MR. MATUSZ: Mr. Matusz reported on the resident aprons at 1749 & 1755 Main Street. Mr. Matusz stated he spoke with O.D.O.T. and was advised the matter is the homeowners' responsibility. The Mayor stated he would advise the residents.

Mr. Matusz reported Bishop Lane was leveled out earlier this year but additional gravel is still needed. He will follow up on the issue.

Mr. Matusz stated a deflector kit and curb guards are needed for the new truck. Mr. Matusz made a motion to purchase a Zoresco Deflector Kit in the amount of $286.21 that was seconded by Mr. Kaplan.

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

Mr. Matusz made a motion to purchase Zoresco Curb Guards in the amount of $247.85 that was seconded by Mr. Kaplan.

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

PLANNING COMMISSION, MR WEIGAND: Mr. Weigand reported the Planning Commission met on October 28, 2019 and reviewed the proposed Subdivision Regulations. The final draft of that Ordinance should be approved at the next meeting. The Zoning Code changes review is ongoing. The Planning Commission will hold its next meeting on December 2, 2019 at 7:00 p.m.

WASTEWATER: Nothing to report.

ZONING: Mayor Mayer stated the property at 6128 Riverview Road no longer has the camper on the property.

BOARD OF ZONING APPEALS: The Mayor reported there are still two vacant seats on the Board of Zoning Appeals.

BUILDING AND GROUNDS, MR. FISHER: In Mr. Fisher's absence, the Mayor reported that the sidewalk in front of Village Hall has been repaired. Mr. Kaplan asked if Council would like to discuss further the sidewalks in front of the Methodist Church and around town. Councilman Kaplan stated the Village is not liable for any accidents caused by poor sidewalk conditions. Councilman Weigand expressed that the Village needs a consistent plan for moving forward on sidewalk repairs and replacement. Ms. Holody stated O.D.O.T. initially installed the ADA ramps, but it is now the responsibility of the Village to maintain or replace them. It was determined that Mr. Matusz and Mr. Fisher will work with Timeless Landscapes and other contractors to get quotes for sidewalk repairs around the Village and report back to Council.

CHAMBER OF COMMERCE & ECONOMIC DEVELOPMENT LIAISON, MR. WEIGAND: Mr. Weigand stated the Chamber of Commerce elected three Trustees. The Peninsula Area Chamber of Commerce website will officially be changing from 'Explorepeninsula.com' to 'Peninsulaohio.com'. Preparations for Christmas in Peninsula are under way. Entries for the mini-tree exhibition at the Library are required to be submitted from November 18-29, 2019. A new shop located at the former Martini Skate and Snow location downtown will be opening soon. It will sell and rent electric bikes.

POLICIES AND PROCEDURES LIAISON, MR. KAPLAN: No additional report.

FIRE BOARD, MR. SCHNEIDER: Mr. Schneider reported on November 4, 2019, Scott Duber was named the new Assistant Chief and Mike Packard was appointed the new Captain for the Valley Fire Department. No decision has been made on the purchase of a new Fire Truck. Mayor Mayer announced there will be a retirement party for retired Valley Fire Department Assistant Chief Dave Morehouse on November 22, 2019 at the Boston Twp. Hall at 1775 Main St. from 6:00 to 9:00 p.m. Everyone is invited, and beverages and light appetizers will be provided.

CEMETERY BOARD, MR SCHNEIDER: The Cemetery Board purchased a new towable leaf blower.

JEDD, MR. SCHNEIDER: No report.

UNFINISHED BUSINESS:
Council Committee on Service Department Collaboration, Consolidation, and/or Contract with Boston Township Report: Mr. Bryan stated discussions as to the terms of a proposed contract have progressed, but the estimated monthly cost of the contract is unknown. He suggested that now that the Village has a Fiscal Officer, the committee members and fiscal officers get together to try to come up with an estimated cost before the terms of any contract are finalized and approved.

Necessary Space Site Plan Layout for Land Swap Discussions with CVNP for Possible Service Department Headquarters: Ms. Holody stated the Conservancy is aware of the Village's interest in the property and will advise the Village when it is ready to move forward with discussions. An update will be provided at the next Regular Council Meeting.

Village Hall Structural Issues: No report.

NEW BUSINESS: Councilman Schneider made a motion to look into renting a local indoor storage facility for both the Village's and Townships' equipment for $300 per month. That motion was seconded by Mr. Kaplan.

Roll Call Vote: Mr. Matusz, yes; Mr. Kaplan, yes; 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. Schneider. All were in favor of the motion; none were opposed. The meeting was adjourned at 9:07 p.m.

Respectfully submitted:

Douglas G. Mayer, Mayor — Date

12-9-19

Trevor Elkins, Fiscal Officer

12/9/19