

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

DRAFT

Held: Monday, February 10, 2020

CALL TO ORDER; PLEDGE OF ALLEGIANCE: The Village of Peninsula Council convened at 7:00 p.m. in the Peninsula Village Hall. Mayor Daniel Schneider Jr. called the meeting to order followed by the Pledge of Allegiance. The roll call was conducted by the Fiscal Officer, and the following members were present.

COUNCIL MEMBERS:

Mayor Daniel Schneider Jr.	Present	John Krusinski	Present
Richard Fisher Jr.	Present	Chris Weigand	Present
Michael J. Kaplan	Present	Daniel Schneider, Sr.	Present

OTHERS PRESENT: Solicitor Brad Bryan and Fiscal Officer Trevor Elkins.

SPECIAL ANNOUNCEMENT: Mayor Schneider announced the sudden passing of Councilperson Michael Matusz on Saturday, February 8, 2020. The Mayor expressed his deepest condolences to Mr. Matusz's family and asked for a moment of silence.

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA:

No amendments.

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS:

January 13, 2020 Regular Council Meeting Minutes: Mr. Kaplan made a motion to approve the January 13, 2020 Regular Council Meeting Minutes that was seconded by Mr. Schneider.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The January 13, 2020 Regular Council Meeting Minutes were approved.

APPOINTMENT OF COUNCIL LIAISONS: Mr. Kaplan made the following Council Liaison appointments:

- Finance – Mr. Fisher
- Police Department – Mr. Schneider
- Roads and Public Works – Deferred until the next Council meeting
- Building and Grounds – Mr. Krusinski
- Chamber of Commerce & Economic Development – Mr. Weigand
- Policies and Procedures – Mr. Kaplan

Mr. Kaplan stated he would like to create a Council liaison position with the Cuyahoga Valley National Park and expressed his interest in serving in that position. Mr. Bryan stated Council would have to vote on the creation of the CVNP Liaison position since it presently does not exist. Mr. Kaplan made a motion to establish a Council CVNP Liaison position. The motion was not seconded. Mayor Schneider stated he would meet with the CVNP at this time and report any pertinent information to Council. Mr. Weigand stated he agreed that the Mayor should be the Village point of contact with the CVNP.

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CITIZENS PARTICIPATION:

Boston Township Trustee Amy Anderson expressed her condolences to the Village for the loss of Councilperson Matusz.

Richard Slocum, 1563 Mill St., also expressed his condolences on the loss of Mr. Matusz. Mr. Slocum also stated he would like to see a public meeting about the EPA or County Department of Health sewer testing results. He stated if the Village intends to spend millions of dollars, the community should understand why. Mr. Slocum asked why the testing results are not posted online. Mr. Slocum stated he would like this information released to the public so fact-based decisions can be made before taxpayer money is spent.

REPORTS:

Mayor Daniel Schneider Jr.: The Mayor stated that he, along with Councilpersons Schneider and Weigand and Solicitor Bryan recently met with the EPA regarding Village Wastewater issues. He stated he plans to form a Wastewater Committee this evening to address those issues. The Mayor also reported that he and Mr. Bryan met with the CVNP to discuss issues involving the CVNP and the Village. At that meeting, the CVNP Superintendent expressed his view that the Par 3 golf course area is not an ideal location for a Village Service Department garage. Different locations were discussed that were more suitable to the CVNP. The CVNP would be amenable to exchanging land with the Village in return for the Village's Players Barn property.

Fiscal Officer Trevor Elkins: Mr. Elkins stated he is working with the department heads on their 2020 budgets. He will have a budget to present to Council at the March Meeting. He is reviewing both revenues and expenditures for 2019 in order to close Fiscal Year 2019. The 2019 year must be closed out by the end of February. Mr. Elkins stated he is preparing for the JEDD Board Meeting in late February. He stated the Ohio Open Checkbook submission will not be ready for a few months. Mr. Elkins reiterated his recommendation that a fuel contract be entered into with the Township. The agreement was prepared by Mr. Bryan and sent to the Township for its review. Mr. Elkins suggested the Village wait for the Township to respond before approving it so that the contract does not have to be amended at a later date.

Finance Liaison, Mr. Fisher:

Acknowledgement of Receipt of Financial Reports

Councilmember Kaplan made a motion for the Acknowledgement of Receipt of Financial Reports that was seconded by Councilmember Weigand.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

Ratification of Submitted Bills List

Councilmember Kaplan made a motion for the Ratification of Submitted Bills List that was seconded by Councilmember Weigand.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Weigand, yes; Mr. Krusinski, yes; Mr. Schneider, yes. The motion was approved.

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Zoning: Mayor Schneider stated the burnt home on Route 303 has now been taken down. He is still looking for a Zoning Inspector.

Board of Zoning Appeals: The Mayor stated he has another member to serve on the BZA, Charles Moyer. There is still a vacancy left on the Board if anyone is interested.

Councilperson Kaplan made a motion to confirm Mayor Schneider's appointment of Charles Moyer to the BZA that was seconded by Councilperson Schneider.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Weigand, yes; Mr. Krusinski, yes; Mr. Schneider, yes. The motion was approved.

Buildings and Grounds Liaison: Councilperson Schneider stated the Village hired a firm to assess the structural issues at the Village Hall. It was determined the first-floor joists are rotting. The suggested solution is to excavate the first floor, pour a new cement floor, and then cover it with wood. Mr. Schneider stated he will look into the matter further.

Chamber of Commerce & Economic Development Liaison, Mr. Weigand: Mr. Weigand stated the Chamber of Commerce is planning Ramp Up Peninsula for Saturday, April 25, 2020. The Chamber would like to see the closure of Mill Street from 8:00 a.m. until 6:00 p.m. Mr. Weigand stated they have checked with all the affected businesses, and all are in favor of the closure. The National Park also approves as long as access to its parking lots remains open.

Policies & Procedures Liaison, Mr. Kaplan:

Full-time Employee Health Care Payroll Deductions

Mr. Bryan stated Council previously voted to postpone any full-time employee health care payroll deductions until after the first quarter of the year. He stated deferring the payroll deductions for all of 2020 would cost the Village \$1,500. If Council wants to eliminate the deductions for the entire year, action will need to be taken before the end of March.

Fire Board: Councilmember Kaplan made a motion to appoint Councilperson Dan Schneider as the Village Representative on Fire Board that was seconded by Councilperson Krusinski.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

Cemetery Board, Mr. Schneider Sr.: Councilperson Schneider made a motion to appoint Jerry Ritch to an At-Large position on the Cemetery Board that was seconded by Councilmember Kaplan.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

JEDD Board, Mr. Schneider Sr.: Councilperson Schneider stated the JEDD Board will meet at the Township Hall on February 26, 2020 at 7:00 p.m.

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Wastewater:

Appointment of Wastewater Committee

Mr. Kaplan made a motion to form a Wastewater Committee that would give monthly updates to Council. He suggested that the Committee consist of Mr. Weigand, Mr. Krusinski, and himself. Mr. Weigand seconded the motion.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

Mr. Kaplan stated the Mayor's input and public input will be critically important. The Committee will need to act promptly, directly, and transparently while keeping everyone informed.

Solicitor Brad Bryan:

Army Corps Directive Update

Mr. Bryan stated the Village has received another 30-day extension from the Army Corps Engineers. Mr. Bryan, the Mayor, and CVNP Officials met earlier this month and discussed this matter. The Conservancy for the Park hopes to close on the old golf course property in September, 2020. Until that time, the Conservancy and CVNP will be requesting public input on use of the land and formulating a master plan for the property, which will impact the Village's efforts to resolve the violation.

Mr. Kaplan made a motion to add Mr. Krusinski to the Committee for this matter that was seconded by Mr. Schneider.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

Road Levy

Mr. Bryan stated Resolution 03-2020, A Resolution Requesting the County Fiscal Officer to Certify to the Village of Peninsula the Amount a 3 Mill, Five Year, Road Tax Renewal Levy Would Generate for the Village, is on the agenda for this evening. The current road levy expires this year and needs to be placed on the ballot for renewal this November. The 3 Mill levy costs a property owner \$300 per year for every 100K of property valuation and generates approximately \$60,000 per year for the Village. Mr. Bryan stated he looked into the issue at the request of Council, and a renewal levy will not affect any current statutory property tax reductions (10% owner-occupied reduction and 2.5% homestead reduction) received by property owners. A replacement levy in a different amount would nullify those property tax reductions with respect to the levy amount.

Mr. Kaplan asked about the timeline for filling Mr. Matusz's vacant Council seat. It was determined that the March 9, 2020 Regular Council Meeting is within Council's 30 day time period to appoint a replacement. Council decided the seat would be filled at that meeting. Citizens were encouraged to apply for the position.

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LEGISLATION:

Third Reading:

Ordinance No.34-2019

Requested by Councilperson Weigand

An Ordinance Establishing Chapter 1159 of the Zoning Code Relating to Subdivision Regulations. The Ordinance was read by title by Mr. Bryan. Mr. Bryan stated a Public Hearing for the Ordinance was held earlier tonight at 6:30 p.m. Based upon that hearing, minor adjustments to the Ordinance will be made before the next Council Meeting.

Second Reading:

Resolution No. 01-2020

Requested by Councilperson Matusz

A Resolution Reappointing Bradric Bryan of Goodwin & Bryan, LLP as the Village's Solicitor and Prosecutor for a Term Commencing on April 1, 2020 and Ending on March 31, 2021. The Resolution was read by title by Mr. Bryan. This Resolution will advance to a Third Reading at the next Regular Council Meeting.

First Reading:

Resolution No. 02-2020

Requested by Mayor Schneider

A Resolution Authorizing the Mayor to Accept a Northeast Ohio Public Energy Council Energized Community Grant. The Resolution was read by title by Mr. Bryan. Mr. Bryan stated the 2020 Grant is for \$1,736. The grants from both 2018 & 2019 were applied to the purchase and installation of new windows for Village Hall. The prior grant money did not cover the entire cost of the window replacements, and this year's money will be used to offset the cost of that project as well.

A Motion was made by Councilperson Kaplan to suspend the three-reading rule that was seconded by Councilperson Schneider.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

A Motion was made by Councilperson Kaplan to pass Resolution No. 02-2020 that was seconded by Councilperson Schneider.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The Resolution was adopted.

Resolution No. 03-2020

Requested by Solicitor Bryan and Fiscal Officer Elkins

A Resolution Requesting the County Fiscal Officer to Certify to the Village of Peninsula the Amount a 3 Mill, Five Year, Road Tax Renewal Levy Would Generate for the Village.

The Resolution was read by title by Mr. Bryan. Mr. Bryan stated Council needs to pass the second resolution related to this matter, the resolution to place the levy on the ballot, 90 days

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prior to the November election, which would be the July meeting. Council decided in order to meet the timetable, it should move to pass this piece of legislation at its March Council Meeting.

Resolution No. 04-2020

Requested by Mayor Schneider

An Ordinance Amending Section 147.08 of the Administrative Code Relating to Call Back Pay. The Ordinance was read by title by Mr. Bryan. Mr. Bryan stated he would make the requested adjustment to Resolution No. 04-2020 to make it retroactive to January 1, 2020 and have it ready for next Council Meeting.

UNFINISHED BUSINESS:

Necessary Space Site Plan Layout for Land Swap Discussions with CVNP for Possible Service Department Headquarters: The Mayor will walk the CVNP land near the fire station that has been discussed in connection with the proposed land swap with the Village's Players Barn. The Mayor will produce a general plot map that will include the future Service Department Building, aprons, storage areas, and room for any future building additions for the Park's consideration. At this stage, an engineered drawing is not necessary.

Village Hall Structural Issues: The Mayor stated he spoke with the engineering firm that inspected Village Hall. No action to fix the issue has been taken at this time.

Village Sidewalk Condition Survey: This matter will be handled by the Planning Commission.

NEW BUSINESS:

Councilperson Kaplan requested that more table space be added for Councilmembers.

Councilperson Schneider made a motion to spend up to \$120 on Funeral flowers for late Councilperson Matusz that was seconded by Mr. Kaplan.

Roll call vote: Mr. Kaplan, yes; Mr. Fisher, yes; Mr. Krusinski, yes; Mr. Weigand, yes; Mr. Schneider, yes. The motion was approved.

EXECUTIVE SESSION (as needed): None.

ADJOURNMENT: 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 was adjourned at 7:54 p.m.

Respectfully submitted:

Daniel Schneider Jr., Mayor

Date

Trevor Elkins, Fiscal Officer

Date