



VILLAGE OF PENINSULA

AGENDA REGULAR MEETING OF COUNCIL

Tuesday February 13, 2024, 7:00 p.m.
1582 Main Street
Peninsula, Ohio 44264

CALL TO ORDER

ROLL CALL

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA

SPECIAL PRESENTATIONS

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS

December 21, 2023 Special Council Meeting Minutes

January 9, 2024 Regular Council Meeting Minutes

January 22, 2024 Special Council Meeting Minutes

CITIZEN PARTICIPATION

REPORTS

Mayor, Daniel Schneider, Jr.

Fiscal Officer, Ms. Iaconis

Street Commissioner, Mr. Anderson

Finance Liaison, Mr. Schultz

Acknowledgement of Receipt of Financial Reports

Ratification of Submitted Bills List

Police Department Liaison, Councilperson Schneider

Roads and Public Works Liaison, Mr. Haramis

Planning Commission Representative, Mr. Steidl

Zoning Officer, Mr. Hemming

Board of Zoning Appeals, Mayor Schneider

Buildings and Grounds Liaison, Mr. Steidl

Chamber of Commerce & Economic Development Liaison, Mr. Slocum

Community Events Liaison, Mr. Najeway

Policies & Procedures Liaison, Mr. Slocum

Fire Board, Councilperson Schneider

Cemetery Board, Councilperson Schneider

JEDD Board, Councilperson Schneider

Wastewater/Stormwater/Water Liaison, Mr. Najeway

Area Master Plan, Mr. Schultz and Mr. Slocum

Solicitor, Mr. Bryan

LEGISLATION

Third Reading: None.

Second Reading: None.

First Reading:

Resolution No. 02-2024

Requested by Mayor Schneider

A Resolution Providing Consent to the Ohio Department of Transportation to Perform Bridge Deck Sealing Work on the St. Rt. 303 Peninsula Cuyahoga River Bridge

Resolution No. 03-2024

Requested by Mayor Schneider

An Ordinance Amending Section 133.03 of the Village Administrative Code Related to the Spending Authority of the Mayor

Resolution No. 04-2024

Requested by Councilperson Haramis

An Emergency Resolution Indicating the Village of Peninsula's Desire to Participate in the County of Summit 2024 Road Pavement Maintenance and Marking Program and Authorizing the Mayor to Enter into a Cooperative Agreement with the County of Summit, through the Summit County Engineer, for Certain Road Pavement, Maintenance, and Marking Work through the Program

UNFINISHED BUSINESS/NEW BUSINESS

EXECUTIVE SESSION (IF NECESSARY)

ADJOURNMENT

**Record of Proceedings
Special Council Meeting**

Held: Thursday, December 21, 2023

CALL TO ORDER OF REGULAR COUNCIL MEETING: The Mayor called the meeting to order at 7:00 p.m.

ROLL CALL:

COUNCILMEMBERS:

Mayor Daniel Schneider, Jr.	Present	John Krusinski	Present
Richard Fisher, Jr.	Present	George Haramis	Present
Daniel Schneider	Present	John Najeway	Present
Douglas Steidl	Present		

OTHERS PRESENT: Solicitor Brad Bryan

CITIZEN PARTICIPATION

Planning Commission Member Greg Canda read an email that he sent to Council explaining his Planning Commission vote recommending the Village join the Summit County Metropolitan Sewer District and making certain recommendations to Council. He stated his vote was based upon the identified wastewater pollution issues and the Village's inability to solve those problems on its own due to lack of expertise and money. He feels the input of Village residents and business owners should be considered during the detailed design process and regular status updates are imperative. The Project should be monitored by multiple persons from Planning Commission and Council rather than by a single Councilmember. He understands the need to move forward with the Project expeditiously but is against a single reading and emergency action. He thinks there should be a reading in January to allow the new Councilpersons to weigh in on the issue. He favors positive collaboration.

Doug Anderson read a letter on behalf of Kathy Bertsch, who was unable to attend the meeting. Ms. Bertsch asked for greater deliberation on this issue and for Council not to adopt this legislation as an emergency measure, which would prevent the public's referendum rights with respect to this issue.

Mike Geico asked whether Council was legally required to adopt this legislation prior to the end of the year. Mr. Bryan stated there is no end of the year deadline, but there is urgency so that the County is able to meet its timeline for releasing the RFQ for the design engineering work, selecting a firm, completing the design engineering by August of 2024, and putting out the project for bid and awarding the contract by the end of 2024 in order to comply with the requirements for allocating and using ARPA funds for the Project.

Sean Hensley read a letter he prepared for the meeting. He asked for a more deliberative process, multiple readings of the legislation, and a more creative solution.

Bill Clifton expressed his support for the Project and Council adopting the legislation on the agenda this evening. He noted the fact that every Village committee and body that has studied this issue over the past several years has come to the conclusion that the best solution is for the County to design, build, and operate a central sewer system. The obstacle in the past has been the inability to pay for the system. Due to the County's allocation of 7.5 million dollars for this Project, that is no longer an issue.

**Record of Proceedings
Special Council Meeting**

Held: Thursday, December 21, 2023

Steve Schultz stated this Special Council Meeting was pre-scheduled. He does not think the Village should outsource this decision to dig up the Village to the County. He feels Council is afraid to let the new members speak on this issue.

Jodi Padrutt stated the legislation should receive 3 readings and there is no emergency.

Sasha Miller shared her thoughts and perspective that the community needs to move forward after this evening in a collective manner and work together on achieving the best solutions.

Amy Frank-Hensley read a letter she prepared for the meeting outlining the pros and cons of the Project aside from cost issues. She invited the Councilpersons to provide their justification for their decisions.

Lois Unger asked if her email was received by the old and new Councilmembers and the Mayor. The Mayor confirmed everyone received it.

Elizabeth Biddick read a letter she prepared for the meeting. She stated Council is disrespecting the citizens by not going through the 3 reading process and listening to the public's questions and comments. She feels the Ordinance can be passed in early January, and the new Councilmembers should have a voice and vote. Due process and due diligence should be followed instead of voting on this matter as an emergency.

Daniel D'Angelo read a letter he prepared for the meeting. The letter alleged Council was not acting transparently. He stated the legislation should not be passed on first reading and does not constitute an emergency.

Lesley Hampshire thanked Council for its hard work on this issue and expressed her support for the Project.

Matthew Padrutt read a letter he prepared for the meeting objecting to any action to adopt the legislation this evening and passing it as emergency legislation.

Ed Andros stated the Village has been working on this issue for 30 years. Now that the money is available to make it happen, the Village needs to move forward.

Mr. Bryan pointed out if this legislation is not passed as an emergency and is subject to referendum, 10 percent of the electorate could file a referendum petition and put the legislation on hold until after a November 2024 vote on it. In that event, the County would not continue to spend money on the Project, and it would be effectively killed, regardless of the outcome of the vote, due to the unavailability of the 7.5 million dollars in ARPA money.

BUSINESS:

Motion to Confirm the Mayor's Appointment of Marc Bazdar as a Full-Time Police Officer Effective January 1, 2024.

Councilperson Schneider made a motion that was seconded by Mr. Najeway to confirm the Mayor's appointment of Marc Bazdar as a Full-Time Police Officer effective January 1, 2024. Roll Call Vote: Mr. Krusinski, yes; Mr. Fisher, yes; Mr. Haramis, yes; Councilperson Schneider, yes; Mr. Najeway, yes; Mr. Steidl, yes. The motion was approved.

Resolution No. 28-2023

Sponsored by: Councilperson Krusinski

An Emergency Resolution Requesting the County of Summit to Accept the Village of Peninsula into and under the Sanitary Sewer Authority of the Summit County Metropolitan Sewer District (First Reading)

**Record of Proceedings
Special Council Meeting**

Held: Thursday, December 21, 2023

The legislation was read by title by Mr. Bryan. Mr. Krusinski made a motion that was seconded by Mr. Haramis to suspend the three-reading rule. Mr. Krusinski stated the process needs to move forward right away because the start of the design engineering portion of the Project is already behind schedule. The recommendation for a central sewer system has been in place since 2020, and the community has been provided with information on the Project since that time after it was received from the County. Mr. Steidl stated the Project is about the Village not continuing to pollute the Cuyahoga River, and it is time to move forward with it. Councilperson Schneider stated the Village has been working on getting sewers for as long as he can remember, and we now have the money to do it. Mr. Haramis stated, as an Engineer, he has been involved with the design and construction of sewer projects in many locations throughout the world. He feels the construction of a central sewer system designed, constructed, and operated by the County, who has expertise in these matters, is the best solution. If the Village does not move forward, it will be subject to enforcement action, and in that event, the cost to the residents will be significant. Mr. Najeway stated he has reviewed all of the information regarding the sewer issue and feels the construction and operation of a central sewer system by the County is the best solution for the Village's downtown residents and businesses. Roll Call Vote: Mr. Krusinski, yes; Mr. Fisher, yes; Mr. Haramis, yes; Councilperson Schneider, yes; Mr. Najeway, yes; Mr. Steidl, yes. The motion was approved. Mr. Krusinski made a motion that was seconded by Councilperson Schneider to adopt the Resolution. Roll Call Vote: Mr. Krusinski, yes; Mr. Fisher, yes; Mr. Haramis, yes; Councilperson Schneider, yes; Mr. Najeway, yes; Mr. Steidl, yes. The Resolution was adopted.

ADJOURNMENT:

Mr. Krusinski made a motion to adjourn the meeting that was seconded by Councilperson Schneider. Roll Call Vote: Mr. Krusinski, yes; Mr. Fisher, yes; Mr. Haramis, yes; Councilperson Schneider, yes; Mr. Najeway, yes; Mr. Steidl, yes. The motion was approved. The meeting was adjourned at 7:59 p.m.

Respectfully submitted:

Daniel Schneider Jr., Mayor

Date

Katie Iaconis, Fiscal Officer

Date

Record of Proceedings
Regular Village of Peninsula Council Meeting
Held: Tuesday, January 9, 2024

CALL TO ORDER: The meeting was called to order by Mayor Schneider at 7:00 p.m.

ROLL CALL:

Mayor Daniel Schneider, Jr.	Present	Steve Schultz	Present
Richard Slocum	Present	George Haramis	Present
Daniel Schneider	Present	John Najeway	Present
Douglas Steidl	Present		

OTHERS PRESENT: Solicitor Brad Bryan, Fiscal Officer Katie Iaconis, and Chief Jay Nagy.

ELECTION OF 2024 PRESIDENT PRO-TEM OF COUNCIL BY COUNCIL

Mr. Haramis made a motion that was seconded by Mr. Steidl to nominate Councilperson Schneider as President Pro-Tem of Council for 2024. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

PRESENTATION OF AGENDA AND AMENDMENT OF THE AGENDA

No amendments.

SPECIAL PRESENTATIONS

None.

PRESENTATION AND CONSIDERATION OF RECORD OF PROCEEDINGS

December 12, 2023 Regular Council Meeting Minutes

Councilperson Schneider made a motion that was seconded by Mr. Najeway to approve the December 12, 2023 Regular Council Meeting Minutes. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, abstain; Mr. Slocum, abstain; Mr. Schultz, abstain; Mr. Haramis, yes; Mr. Najeway, yes. The Minutes were approved.

CITIZEN PARTICIPATION

Mo Riggins brought up problems with speeding in the community and thanked the Village for installing the no parking signs he requested. He asked the Village to tighten the short-term rental regulations.

Mayor Schneider read a letter regarding short-term rentals submitted by Lois Unger who was not able to attend the meeting.

Jodi Padrutt expressed her opposition to short-term rentals, urged the Village to enforce the regulations more strictly, and asked for clarity regarding the parking provisions. Mr. Bryan explained the parking requirement is one space per bedroom plus one extra space.

REPORTS

Mayor, Daniel Schneider, Jr.

The Mayor thanked outgoing Councilpersons John Krusinski and Rich Fisher for their time, effort, and dedication to the Village during their periods of service. With their help and the assistance of the rest of Council, the Village was able to move forward with the wastewater

Record of Proceedings
Regular Village of Peninsula Council Meeting
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project, continue to upgrade the roads, and make improvements to the Police and Service Departments. He hopes to continue to work with Council on bringing water to the Village, make additional improvements to Village Hall and the Police Station, and move forward with the Area Master Plan. He then congratulated new Councilpersons Steve Schultz and Richard Slocum on their election to Council.

Mayor's Request for Council Motion to Confirm the Mayor's Reappointment of Ed McCabe/McCabe Engineering as the Village Engineer for 2024

Mr. Steidl made a motion that was seconded by Mr. Haramis to confirm the reappointment of Ed McCabe/McCabe Engineering as the Village Engineer for 2024. Mr. Slocum asked for more details about Mr. McCabe and the firm. He was advised Mr. McCabe has been the Village Engineer for the past 3 years and was selected after applications were solicited and interviews took place. Mr. Bryan stated Mr. McCabe bills his time at the rate of \$125 per hour and works when requested. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Fiscal Officer, Ms. Iaconis

Ms. Iaconis reviewed the highlights of the financial reports and specific portions of the reports requested by Mr. Slocum.

Street Commissioner

Mayor's Request for Council Motion to Confirm the Mayor's Reappointment of Douglas Anderson as the Village Street Commissioner for 2024

Mr. Slocum made a motion that was seconded by Mr. Najeway to confirm the Mayor's Reappointment of Douglas Anderson as the Village Street Commissioner for 2024. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Finance Liaison

The Mayor suggested that liaisons could be appointed at the next Council Meeting and explained the positions held by the returning Councilmembers. Mr. Schultz volunteered to be the Finance Liaison. Mr. Najeway asked to keep his current responsibilities. Mr. Slocum offered to act as the Chamber of Commerce Liaison.

Police Department Liaison, Councilperson Schneider

Councilperson Schneider made a motion that was seconded by Mr. Steidl to accept the quote from Great Lakes Telecom & Electric, LLC in the amount of \$550 for labor and materials for an additional police station surveillance camera. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Councilperson Schneider made a motion that was seconded by Mr. Najeway to accept the quote in the Amount of \$7,328.36 from Vasu Communications Inc. for 2 Viking In-Car Police Radio Systems. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

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Chief Nagy stated the Village K9 and K9 Officer are expected to start training in March. The new police vehicles are waiting to get in to be outfitted and striped. He also explained that per the Summit County Chiefs Meeting, a plan is being developed for coordination on the April 8, 2024 Eclipse.

Roads and Public Works Liaison, Mr. Haramis

Mr. Haramis discussed the County Road Program Resolution on this evening's agenda. The proposed Village Road Project for this year involves the north and south portions of Riverview Road that were not completed in the past two years.

Planning Commission Representative

Appointment of Council Planning Commission Representative by Council

Councilperson Schneider made a motion that was seconded by Mr. Haramis to appoint Mr. Steidl as the Council Planning Commission Representative. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Zoning Officer, Mr. Hemming

Nothing to report.

Board of Zoning Appeals, Mayor Schneider

No report.

Buildings and Grounds Liaison, Mr. Steidl

Mr. Steidl reported the plans for the Village Hall first floor renovations have been submitted to the County Building Department and some changes were requested. The architect is working on getting the revised plans approved.

Chamber of Commerce & Economic Development Liaison, Mr. Najeway

Mr. Slocum, who is taking over as Liaison, made a suggestion for a Village sign to announce upcoming events in the Village. Mr. Schultz requested modifications to the Village website to make it more searchable. Mr. Slocum asked if the Village could look into being able to issue email or text blast notifications to residents about emergencies.

Policies & Procedures Liaison, Mr. Najeway

No report.

Fire Board, Councilperson Schneider

Councilperson Schneider stated there is a Board Meeting on Monday.

Cemetery Board, Councilperson Schneider

No report.

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JEDD Board, Councilperson Schneider

Councilperson Schneider stated there will be a Board Meeting in January or February. Mr. Bryan explained that aside from Councilperson Schneider, there are 2 additional Village appointed seats on the JEDD Board that need to be filled due to Mr. Krusinski and Mr. Fisher being off of Council. He stated there are usually 2 to 3 Board Meetings per year. Mr. Schultz and Mr. Slocum agreed to serve on the JEDD Board if appointed. Mr. Haramis made a motion that was seconded by Mr. Steidl to appoint Mr. Schultz and Mr. Slocum to the JEDD Board. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Wastewater/Stormwater/Water Liaison

Mr. Najeway reported he has no updates on wastewater, but stated the Peninsula Live dates for 2024 will be posted in the “Your Community News” newsletter. Letters are being sent to last year’s vendors asking them if they want to participate this year.

Area Master Plan

The Mayor asked who was interested in serving as the two Council representatives to the Area Master Plan Steering Committee. Mr. Schultz and Mr. Slocum stated they were interested. Mr. Najeway made a motion that was seconded by Councilperson Schneider to appoint Mr. Slocum and Mr. Schultz as the two Council representatives to Area Master Plan Steering Committee. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Mr. Najeway made a motion that was seconded by Mr. Slocum to appoint Steve Craig and Amy Frank-Hensley as the two resident representatives to the Area Master Plan Steering Committee. Before a roll call was made, Mr. Najeway asked everyone if there is a conflict due to Mr. Craig being on the Foundation Board. Mr. Bryan stated there is no legal reason preventing Mr. Craig from being appointed. Mr. Craig stated if he is appointed, he will consider stepping down from the Foundation Board.

Mr. Schultz made a motion that was seconded by Mr. Najeway to amend the motion to vote for the candidates one at a time. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Mr. Najeway made a motion that was seconded by Mr. Schultz to appoint Amy Frank-Hensley as a citizen representative to the Steering Committee. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Mr. Najeway made a motion that was seconded by Councilperson Schneider to appoint Steve Craig as a citizen representative to the Steering Committee. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Solicitor, Mr. Bryan

Mr. Bryan explained he is working on legislation for the next Council Meeting related to the Mayor’s spending authority. He explained the Mayor is requesting authority to approve expenditures up to \$10,000 rather than his current \$500 authority amount. The maximum amount

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before the necessity of advertisement and formal bidding was recently raised by the Ohio Legislature from \$50,000 to \$75,000. Different communities set spending limits for their Mayors at different amounts depending on their level of comfort. Mr. Bryan stated the other community he represents, the Village of Northfield, has a Mayor's spending threshold of \$25,000. Trevor Elkins stated his spending limit as Mayor of Newburgh Heights is \$10,000. Ms. Iaconis stated she feels \$10,000 is reasonable for the Village. Establishing that level of spending authority would avoid the need to schedule Special Council Meetings to approve smaller, necessary, unforeseen purchases over \$1,000 that arise from time to time. Council began to discuss the appropriate level for the Village. Mr. Schultz stated he is comfortable with the current \$1,000 threshold for purchases approved by the Fiscal Officer/\$500 for the Mayor and does not mind attending Special Meetings. Mr. Bryan advised no decision needs to be made at this time. He just wanted to make Council aware that he is working on the legislation. A proposal will be provided at the February Meeting for Council's consideration.

LEGISLATION

Third Reading: None.

Second Reading: None.

First Reading:

Resolution No. 01-2024

Requested by Councilperson Haramis

An Emergency Resolution Indicating the Village of Peninsula's Desire to Participate in the County of Summit 2024 Road Pavement Maintenance and Marking Program and Authorizing the Mayor to Enter into a Cooperative Agreement with the County of Summit, through the Summit County Engineer, for Certain Road Pavement, Maintenance, and Marking Work through the Program

Mr. Bryan read the Resolution by title. Mr. Haramis made a motion to suspend the three-reading rule that was seconded by Councilperson Schneider. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

Councilperson Schneider made a motion that was seconded by Mr. Najeway to approve the Resolution. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved.

UNFINISHED BUSINESS/NEW BUSINESS

Greg Canda asked about water and wastewater and what the process will be for updating the Planning Commission, Council, Area Master Plan Steering Committee, and the public on these issues. He suggested that three people be designated to keep Council, Planning Commission, and residents informed. Mr. Bryan shared that once the County accepts the Village of Peninsula into the District, the next step is for the County to request the submission of qualifications from engineers desiring to perform the design engineering work for the project and then select and enter into an agreement with an engineering firm. That process will take a couple of months. Mr. Najeway suggested waiting on the next step from the County before the Village

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Regular Village of Peninsula Council Meeting
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determines who will be designated to keep in touch with the County. Mr. Najeway said he would attend Planning Commission Meetings to provide updates until then.

EXECUTIVE SESSION (IF NECESSARY)

None.

ADJOURNMENT

Mr. Najeway made a motion that was seconded by Councilperson Schneider to adjourn the meeting. Roll call vote: Councilperson Schneider, yes; Mr. Steidl, yes; Mr. Slocum, yes; Mr. Schultz, yes; Mr. Haramis, yes; Mr. Najeway, yes. The motion was approved. The meeting was adjourned at 8:38 PM

Respectfully submitted:

Daniel Schneider Jr., Mayor

Date

Katie Iaconis, Fiscal Officer

Date

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

Held: January 22, 2024

CALL TO ORDER AND ROLL CALL: Council convened at 6:30 p.m. at Village Hall. Mayor Schneider called the meeting to order, and the following members were present.

COUNCILMEMBERS:

Mayor Daniel Schneider, Jr.	Present	Steve Schultz	Present
John Najeway	Present	George Haramis	Present
Daniel Schneider	Present	Richard Slocum	Present
Douglas Steidl	Present		

OTHERS PRESENT: Solicitor Brad Bryan

BUSINESS:

Motion to Authorize the Mayor to Repair a Village Police Cruiser in an Amount Not to Exceed \$2,500.

Mayor Schneider explained a 2021 police cruiser with 73,699 miles needs repairs. The preliminary estimate for those repairs from Montrose Ford is \$1,288.10, but it is uncertain what will actually be needed until the mechanic can get a better look at the situation. The cruiser is scheduled to remain in use for 2 more years if it makes economic sense to repair it. Mayor Schneider stated the cruiser should be repaired if the cost is \$5,000 or less. Mr. Slocum asked if the amount authorized by the motion should be increased to \$5,000 to be safe. Mr. Slocum made a motion that was seconded by Mr. Haramis to amend the motion to an amount not to exceed \$5,000. Roll call Vote: Councilperson Schneider, yes; Mr. Schultz, yes; Mr. Najeway, yes; Mr. Haramis, yes; Mr. Steidl, yes; Mr. Slocum, yes. The motion to amend the motion was approved. Mr. Slocum made a motion to pass the motion as amended that was seconded by Mr. Haramis. Roll call Vote: Councilperson Schneider, yes; Mr. Schultz, yes; Mr. Najeway, yes; Mr. Haramis, yes; Mr. Steidl, yes; Mr. Slocum, yes. The motion was approved.

ADJOURNMENT: A motion to adjourn was made by Mr. Najeway and seconded by Councilperson Schneider. All were in favor of the motion; none were opposed. The meeting was adjourned at 6:35 p.m.

Respectfully submitted:

President Pro-Tem Daniel Schneider

Date

Katie Iaconis, Fiscal Officer

Date

VILLAGE OF PENINSULA, OHIO
RESOLUTION NO.: 02-2024
INTRODUCED BY: _____
DATE PASSED: _____

PID No. 113163
D04 BH FY2025 (West)

A RESOLUTION PROVIDING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM BRIDGE DECK SEALING WORK ON THE ST. RT. 303 PENINSULA CUYAHOGA RIVER BRIDGE

WHEREAS, the State of Ohio has identified the need for bridge deck sealing work on the St. Rt. 303 Cuyahoga River Bridge in the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. Council hereby and herein determines that the within Project is in the public interest and authorizes the Mayor to provide the Village's consent to the Ohio Director of Transportation for bridge deck sealing work on the St. Rt. 303 Bridge over the Cuyahoga River in the Village (hereinafter referred to as the "SFN 7709935 SUM-SR-303 7.200 Bridge", "PID No. 113163; D04 BH FY2025 (West)", or "the Project").

SECTION 2. The Village shall cooperate with the Director of Transportation in the above described Project as follows: (1) the State shall assume and bear One Hundred Percent (100%) of the costs of the improvement; and (2) the Village agrees to pay One Hundred Percent (100%) of the cost of any features requested by the Village that are determined by the State and Federal Highway Administration to be unnecessary for the Project (the Village is not requesting any additional features).

SECTION 3. The Village agrees all right-of-way required for the described Project will be acquired and/or made available in accordance with current State and Federal regulations. The Village also understands the right-of-way costs include eligible utility costs.

SECTION 4. Upon completion of the described Project, and unless otherwise agreed, the Village shall: (1) provide adequate maintenance for the described Project in accordance with all applicable State and Federal law, including, but not limited to, 23 U.S.C. 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 5. The Mayor of the Village of Peninsula is hereby empowered to enter into contracts with the Director of Transportation on behalf of the Village of Peninsula that are necessary to complete the above described Project.

RESOLUTION NO. 02-2024
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SECTION 6. That all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. This Resolution shall take effect and be in force after the earliest period permitted by law.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2024.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2024.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Resolution was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2024, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer

VILLAGE OF PENINSULA, OHIO
ORDINANCE NO.: 03-2024
INTRODUCED BY: _____
DATE PASSED: _____

AN ORDINANCE AMENDING SECTION 133.03 OF THE VILLAGE ADMINISTRATIVE CODE RELATED TO THE SPENDING AUTHORITY OF THE MAYOR

WHEREAS, in order to streamline the Village's ability to make purchases in amounts less than ten thousand dollars, Council desires to amend Section 133.03 of the Village Administrative Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. Council hereby amends Section 133.03 of the Village Administrative Code, as set forth in the attachment hereto that is incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public and/or in compliance with all legal requirements, including Section 121.022 of the Ohio Revised Code.

SECTION 3. This Ordinance shall take effect and be in force after the earliest period permitted by law.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 2024.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Ordinance was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2024.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Ordinance was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2024, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer

**133.03 EMERGENCY SPENDING AUTHORITY OF MAYOR;
NOTIFICATION OF COUNCIL IN CASE OF EMERGENCY.**

(a) The Mayor, as chief executive officer of the Village, shall have the authority to approve purchases for and on behalf of the various departments of the Village in an amount not to exceed ten thousand dollars (\$10,000) for each purchase as long as the money for such purchase is available in the appropriate budgeted account or fund.

(b) The Mayor, as chief executive officer of the Municipality, shall have the authority to make expenditures and purchases for and on behalf of the various departments of the Municipality in any amount in the event of an emergency that requires the immediate protection or preservation of the health, safety, and welfare of the Village's residents or property. In the event that an emergency purchase is necessary, the Mayor shall be required to notify the members of Council of the need to make such emergency purchase or expenditure within twenty-four hours of such emergency.

VILLAGE OF PENINSULA, OHIO
RESOLUTION NO.: 04-2024
INTRODUCED BY: _____
DATE PASSED: _____

**AN EMERGENCY RESOLUTION INDICATING THE VILLAGE OF PENINSULA'S
DESIRE TO PARTICIPATE IN THE COUNTY OF SUMMIT 2024 ROAD PAVEMENT
MAINTENANCE AND MARKING PROGRAM AND AUTHORIZING THE MAYOR TO
ENTER INTO A COOPERATIVE AGREEMENT WITH THE COUNTY OF SUMMIT,
THROUGH THE SUMMIT COUNTY ENGINEER, FOR CERTAIN ROAD PAVEMENT,
MAINTENANCE, AND MARKING WORK THROUGH THE PROGRAM**

WHEREAS, certain portions of Riverview Road and other Village roads require maintenance and repairs; and

WHEREAS, the Village recognizes that collaboration with the County through the County Road Pavement Maintenance and Marking Program ("the Program") will result in cost advantages to the Village due to better prices on materials, scheduling efficiencies of the service provider, and a savings on engineering and project supervision costs; and

WHEREAS, the Village hereby expresses its desire to participate in the Program for the purpose of effectuating the road repairs referenced in the attachment hereto (hereinafter referenced as "the Project"); and

WHEREAS, the estimated construction cost for the Project (hereinafter referenced as the "Project's Construction Cost") is now estimated to be \$258,743.85; and

WHEREAS, the County Engineer plans to seek and award bids for the 2024 County Road Paving and Maintenance Program, including the Village of Peninsula Project referenced herein, with a not to exceed cost of \$285,000 for the Project; and

WHEREAS, the Village agrees to provide funding for the Project in an amount not to exceed \$285,000; and

WHEREAS, the Summit County Engineer and Village desire to enter into the attached Agreement to confirm the Project's estimated construction cost and designate the County of Summit as the lead agency for administration of competitive bidding of the Project; and

WHEREAS, said Agreement will cite the Village's share of the Project's Construction Costs as an amount not to exceed \$285,000; and

WHEREAS, this Council has determined that authorizing the Mayor to enter into this Agreement with the County of Summit is necessary and in the best interests of the Village of Peninsula.

RESOLUTION 04-2024
PAGE TWO

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Peninsula, Summit County, Ohio, to wit:

SECTION 1. Council hereby and herein expresses its interest in participating in the County of Summit Road Paving and Maintenance Program in 2024 and authorizes the Mayor to enter into the attached Cooperative Agreement, or an Agreement that is substantially similar thereto, with the County of Summit, through the Summit County Engineer, relating to the Program for the paving, maintenance, and marking work for the Project specified herein, with an estimated Project Construction Cost to the Village of \$258,743.85 and the net estimated maximum cost commitment from the Village being an amount not to exceed \$285,000.

SECTION 2. This Resolution shall supersede and replace Village Resolution No. 01-2024.

SECTION 3. All formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council, and all deliberations of this Council or any of its committees that resulted in such formal action were taken in meetings open to the public and/or in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the residents of the Village of Peninsula for the reason that it will assist with providing safe and convenient travel within the Village and its prompt adoption is necessary to permit the Village to participate in the program in 2024, and therefore, this Resolution shall take immediate effect upon its passage.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day
of _____, 2024.

Passed:

Daniel Schneider, Jr., Mayor

Attest:

Katie Iaconis, Fiscal Officer

Approved as to Legal Form.

Bradric T. Bryan, Solicitor

RESOLUTION 04-2024
PAGE THREE

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, at a meeting held on the _____ day of _____, 2024.

Katie Iaconis, Fiscal Officer

Posting Certificate

I, Katie Iaconis, Fiscal Officer of the Village of Peninsula, Summit County, Ohio, hereby certify that there is no newspaper published in the Municipality, and publication of the foregoing Resolution was made by posting true and accurate copies thereof at five of the most public places in the Village as previously determined by Council, each for a period of at least fifteen days, commencing on the _____ day of _____, 2024, as follows:

1. Terry Lumber & Supply;
2. Valley Fire District;
3. Peninsula Library & Historical Society;
4. Peninsula Village Hall Lobby; and
5. Peninsula Post Office.

Katie Iaconis, Fiscal Officer

**AGREEMENT OF COOPERATION
BETWEEN THE COUNTY OF SUMMIT AND
THE VILLAGE OF PENINSULA
FOR PAVEMENT MAINTENANCE AND/OR MARKING COLLABORATION**

This Agreement of Cooperation is made this ____ day of _____, 2024 by and between the County of Summit (the “County”), acting through the County Executive for the County Engineer, hereafter referred to as the “Engineer”, and the Village of Peninsula, hereafter referred to the “Village”, with the County and Village referenced hereby jointly as the “Parties” and separately as each “Party”.

WITNESSETH:

WHEREAS, the Village is requesting Pavement Maintenance and/or Marking services within the Village’s corporate limits as necessary; and

WHEREAS, the Village and the County recognize that collaboration on Pavement Maintenance and/or Marking projects can result in cost advantages for all participants due to increased volume of materials required and scheduling efficiencies for the service provider; and

WHEREAS, the Village and the County recognize that in order for all participants to fully benefit from collaboration it is imperative that participation in the project be maintained for the duration of the project once a service provider has been selected through the competitive bidding process; and

WHEREAS, the Village desires the County to provide these services through the County Engineer; and

WHEREAS, by Village of Peninsula Resolution No. 04-2024, the Mayor is authorized to enter into an agreement with the County for the payment of costs of this Project.

NOW, THEREFORE, in consideration of the mutual promises, covenants, conditions and terms to be kept and performed hereunder, the Parties agree as follows:

Section 1 – SCOPE OF WORK – PAVEMENT MAINTENANCE AND/OR MARKING

The Scope of Work covered by this Agreement consists of Pavement Maintenance and/or Marking within the Village's corporate limits. The parties have prepared an itemized inventory documenting the roads within the Village's corporate limits for which the Engineer shall perform Pavement Maintenance and/or Marking (the "Inventory"), said Inventory being attached hereto as Exhibit 1, which is fully incorporated herein. The parties agree that the County will include the provided inventory in its regular bidding process.

If the parties desire that any new sections of roadway shall become part of this Agreement, the Inventory shall be adjusted accordingly and approved in writing by both parties as an amendment to this agreement.

Section 2 – CITY/VILLAGE RESPONSIBILITIES

- A) The Village shall make payments to the contractor directly as specified in the final contract awarded by the County.
- B) As part of the Inventory, the Village shall provide estimated quantities and costs for the project. The County will have the ability to review the Inventory. The County bid will be limited to ODOT and County specified bid items.
- C) The Village will be responsible for providing any necessary inspection, engineering, and project design.
- D) All contract modifications and change orders agreed to by the Village and the contractor shall be submitted to the County for final approval. Such approval shall not be unreasonably withheld by the County.
- E) The Village shall adopt appropriate enabling legislation to participate in the program. Once the County advertises the project, the Village agrees to commit to the quantities and services contained in the bid subject to a total cost which shall not exceed \$285,000. Additions and deletions to the specified quantities and/or services are subject to approval by the County Engineer. The County intends to advertise for

bids on February 8, 2024 and February 15, 2024. Bids are scheduled to be opened on March 1, 2024, through March 8, 2024.

- F) The Village agrees that it will fund the project with local funds only. Projects receiving state or federal assistance cannot be included in the Inventory presented to the County as part of this agreement.
- G) Field testing and inspection of materials and services provided shall be the responsibility of the Village.

Section 3 – COUNTY RESPONSIBILITIES

- A) The County shall administer the bidding process. Municipalities will be listed separately on unit cost sheets within the overall bid documents. Bids will be evaluated on the total lowest bid of the entire contract.
- B) The County shall provide administrative support required to ensure the successful implementation of this agreement and resulting contracts with service providers selected through the bidding process.
- C) For the work performed for the County-on-County Highways, the County shall make payments to the contractor directly as specified in the final contract awarded by the County.
- D) The County shall provide estimated quantities and costs for the portion of the project on County Highways. The sum of all construction cost estimates shall be prepared by the County. The County bid will be limited to ODOT specified bid items.
- E) The County will be responsible for providing any necessary inspection, engineering, and project design for the portion of the project on County Highways.
- F) The County will be responsible for material certifications.
- G) The County shall provide in the construction contracts that the Village is a third-party beneficiary of the contract, and that the Village will have direct recourse against the Contractor should a dispute arise as to a particular project.

Section 4 – TERMS OF PAYMENT

The Village shall make payments directly to the contractor within the deadlines specified in the final contract.

Section 5 – DISPUTE RESOLUTION

A) In the event a dispute arises regarding this Agreement, notification of such dispute shall be sent to the Summit County Engineer and a designated representative of the Village, in writing.

In such notification, the disputing party shall present such evidence as may support their position. The representatives for each party shall review the facts and circumstances surrounding the dispute for the purpose of determination. Said dispute shall be resolved within a reasonable period of time. Should the parties be unable to resolve the dispute, either party may resort to its legal remedies as may be appropriate.

B) In the event a dispute arises between the Village and the contractor, notification of such dispute shall be sent to the Summit County Engineer by the Village, in writing.

In such notification, the Village shall present such evidence as may support its position. The Engineer will review the complaint with the Village and the Contractor to informally resolve the dispute. Should the Parties be unable to resolve the dispute, the Engineer shall render a decision on the dispute in a reasonable amount of time.

The Village agrees that the Engineer’s decision is final. Each Party shall bear its own legal costs unless otherwise agreed.

Section 6 – INSPECTIONS

Periodic inspections may be performed jointly by representatives of the County and the Village, to determine the level of service being provided on the Village’s roadway system.

Section 7 – TERM

This agreement becomes effective upon signature by the parties and shall extend through the final completion of the project.

Section 7 – APPLICABLE LAW

The County and Village agree to comply with all applicable federal, state, and local laws in the conduct of the work hereunder.

Section 8 – EXTENT OF AGREEMENT

This Agreement represents the entire and integrated agreement of the Parties for cooperation on the Project and supersedes all prior negotiations, representations or agreements, either written or oral. Only a written instrument signed by each Party may amend this Agreement.

IN WITNESS WHEREOF, the Parties hereto have affixed their hands, the County by the signatures of the County Engineer and the County Executive and the Village by the signature of the Mayor.

THE VILLAGE OF PENINSULA

Daniel Schneider, Jr., Mayor

Date

THE COUNTY OF SUMMIT

Authorized By:

Ilene Shapiro, County of Summit Executive

Date

Recommended By:

Alan Brubaker, P.E., P.S., Summit Cty. Eng.

Date

Approved as to Legal Form and Correctness:

Sherri Bevan Walsh, Cty. of Summit Prosecutor

Date

**AGREEMENT OF COOPERATION
BETWEEN THE COUNTY OF SUMMIT AND THE VILLAGE OF PENINSULA
FOR PAVEMENT MAINTENANCE AND/OR MARKING SERVICES**

Inventory – Exhibit 1

Project Submitted is for Motor Paving and Markings for a certain portion of Riverview Road North of Rt. 303 with the following dimensions (2,485' x 22') and a certain portion of Riverview Road South of Rt. 303 with the following dimensions (2,275' x 26').

SUMMIT COUNTY ENGINEER
 Engineer's Estimate for Village of Peninsula
 Project: 2024 SCE 405 resurfacing program
 Bid Opening

Ref. No.	Item	Description	Unit	Quantity	Engineer's Estimate	
					Unit Price	Total Amount
Riverview Rd.						
1	254	Item 254 Pavement Planing, Bituminous	SY	550	12.00	6,600.00
2	405	Item 405 Mix Aggregate	TON	949	85.00	80,665.00
3	405	Item 405 Choke Aggregate	TON	63	30.00	1,890.00
4	405	Item 405 Mix Bituminous Material	GAL	16,441	2.90	47,678.90
5	422	Item 422 Seal Coat Aggregate (Slag)	SY	12,647	1.25	15,808.75
6	422	Item 422 Bituminous Material, CRS-2	GAL	6,576	2.95	19,399.20
7	441	Item 441 Asphalt Concrete Leveling Course, Type 1, (449) PG 64-22	CY	125	300.00	37,500.00
8	441	Item 441 Asphalt Concrete Surface Course, Type 1, (449) Drives, PG 64-22	CY	10	350.00	3,500.00
9	617	Item 617 Compacted Aggregate	CY	118	90.00	10,620.00
10	642	Item 642 Center Line, Type 1	Mile	0.90	2,000.00	1,800.00
11	642	Item 642 Edge Line, Type 1	Mile	1.80	3,000.00	5,400.00
12	Special	Item special Fog Seal	GAL	1,897	6.00	11,382.00
13	614	Item 614 Maintaining Traffic	LUMP	1	10,000.00	10,000.00
14	624	Item 624 Mobilization	LUMP	1	5,000.00	5,000.00
15	103.05	Item 103.05 Premium Contract Performance and Payment Bond	LUMP	1	1,500.00	1,500.00
Total Amount						258,743.85

**COUNTY OF SUMMIT ENGINEER 405 RESURFACING PROGRAM
ESTIMATE OF QUANTITIES**

Village of Peninsula

ROAD NAME	LENGTH FT	WIDTH FT	AREA SY	ITEM 405 MIX AGG. 150 LBS/SY TON	ITEM 405* CHOKE 10 LBS/SY TON	ITEM 405 CMS-2 1.3 GAL/SY GAL	ITEM 422 SEAL AGG. SY	ITEM 422 CRS-2 0.52 GAL/SY GAL	ITEM SPECIAL FOG SEAL 0.15 GAL/SY GAL	ITEM** 614 TEMP. CEN. LINE MI	ITEM* 254 PAVEMENT PLANING SY	ITEM 411 STAB. CRUSHED AGG CY
Riverview Rd. From Southern Corp. Line to 2275 Feet North of the S.C.L.	2,275	26	6,572	493	33	8,544	6,572	3,418	986	0.43	150	56
Riverview Rd. From 820 Feet North of SR 303 to Northern Corp. Line	2,485	22	6,074	456	30	7,897	6,074	3,159	911	0.47	400	61
Total			12,647	949	63	16,441	12,647	6,576	1,897	0.90	550	118

* AS DIRECTED BY ENGINEER

** Cost for this item is to be included in the Pay Item 614 Maintaining Traffic